

SENATE—Monday, April 10, 1989

(Legislative day of Tuesday, January 3, 1989)

The Senate met at 4 p.m., on the expiration of the recess, and was called to order by the Honorable WENDELL H. FORD, a Senator from the State of Kentucky.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

O Lord our Lord, how excellent is Thy name in all the Earth! who hast set Thy glory above the heavens.—Psalm 8:1.

Mighty God, perfect in holiness, truth, and justice, we take this moment to exalt Thee, to honor Thee, to adore Thee, to acknowledge Thy lordship and our servanthood. As Thou knowest all things, may we remember we have no secrets from Thee—our thoughts, our unspoken words, our motives are known to Thee.

Be honored in our lives today, sovereign Lord. If necessary, in spite of us, work Your will in each of us, in our families and homes, our work and in all our relationships. Be with those of our family who have special need for Thee today. Caress them with Thy love and grace, encourage them, strengthen them, heal them, provide all they need. And to Thee be glory forever and ever. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 10, 1989.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WENDELL H. FORD, a Senator from the State of Kentucky, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. FORD thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, following the time for the two leaders, there will be a period for morning business, not to extend beyond 4:30 p.m., with Senators permitted to speak therein for up to 5 minutes each.

As I indicated on Friday, there will be no rollcall votes today. However, there will be rollcall votes tomorrow, Tuesday, April 11, with two votes occurring back to back: First, on the Graham amendment, and the second, the Hatch amendment. Once these amendments are disposed of, other amendments are possible with rollcall votes occurring tomorrow afternoon and evening.

Mr. President, for the benefit of my colleagues, let me again indicate that it is my hope that we can complete action on the minimum wage bill by the close of business on Wednesday or early Thursday. It is then my intention to turn to the Contra aid package to complete action on that this week.

The Senate will be prepared to receive and begin acting on the thrift industry legislation on next Monday.

Mr. President, I reserve the remainder of my time, and I yield to the distinguished Republican leader.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

RESERVATION OF REPUBLICAN LEADER'S TIME

Mr. DOLE. Mr. President, I reserve my time for the time being.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to exceed beyond the hour of 4:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

ORDER FOR STAR PRINT—S. 22

Mr. DOLE. Mr. President, on behalf of Senator PRESSLER, I ask unanimous consent that S. 22 be star printed to reflect the following changes, which I send to the desk.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

The majority leader.

NOMINATION OF SUSAN CAROL SCHWAB

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that the nomination of Susan Carol Schwab, of Maryland, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received April 4, 1989, be referred jointly to the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Republican leader.

A NEW LOOK AT THE OIL POLLUTION LIABILITY AND COMPENSATION ACT

Mr. DOLE. Mr. President, the "Monday morning quarterbacks" are coming out of the woodwork in the aftermath of the Prince William Sound oil tanker disaster—and make no mistake, it is a disaster of unimagined proportions.

Mr. President, I would like to commend those who are on the front line, battling to contain the spill and reduce its tragic consequences. For its part, Exxon has the responsibility to proceed with an "open checkbook" commitment; it made the mess, and it's got to face the consequences.

I also want to thank President George Bush and Alaska Gov. Steve Cowper for coordinating what will most certainly be a multiyear battle against this pollution nightmare.

Senators TED STEVENS and FRANK MURKOWSKI have demonstrated great leadership on this "home State" crisis, and they have been tireless advocates for Alaska in its time of need—we salute our colleagues for their good work in tough times.

CRITICISM

Unfortunately, Mr. President, the cleanup is not being helped at all by those people who want to point fingers, criticize, and complain—all of that "Monday morning quarterbacking" will not clean up a drop of oil, and will not save one fish, one bird, or one sea otter.

We have a "manmade disaster" in Alaska, and man must do all it can to help nature heal itself. We'll have plenty of time to lay blame in the future. What we need to do for Alaska is get out of the way of those who are deploying the booms, the skimmers and the dispersants and let them get their job done.

NEED TO PREPARE FOR THE FUTURE

But there is something positive we can do in the meantime to reduce the effects of the next oilspill; and we can also help reduce the effects of some faulty Senate thinking.

In 1984, the United States became a signator of protocols which call for the United States to join other nations of the world in the establishment of an international fund and strike force to attack spills that might occur anywhere in the world.

For example, what would happen if an oil tanker registered in some small, poor and distant nation by an owner of different nationality, and questionable character were to run aground off Antarctica?

As crude oil continued day after day to leak from the ship, and spoil the pristine environment of our globe's southern pole, the United States would be forced to scramble for coordination and cooperation with other countries. We would be caught with our plans down. Why? Because the truth is, the Oil Pollution Liability and Compensation Act has been languishing in committee—in other words, it has suffered death by committee. For years, this committee inaction has helped block our efforts to endorse the protocols, so we can join the international community to stand ready in the face of an environmental emergency.

Mr. President, this legislation passed the House in the 99th Congress, only to meet opposition in the Senate. It is now time for the Senate to do something positive, to take a new, urgent look at the Comprehensive Oil Pollution Liability and Compensation Act. We will have plenty of time to point fingers on the Prince William Sound tragedy once we clean up our own house.

CAMPAIGN SPENDING—PAC'S AND THE INCUMBENCY PROTECTION PLAN

Mr. DOLE. Mr. President, I am pleased that the distinguished Senator from Kentucky is presiding, because on Wednesday the Senate Rules Com-

mittee, which the Senator chairs will begin a series of hearings on campaign finance reform. According to a new survey today by the Washington Post on campaign spending by political action committees, the timing for these hearings couldn't be any better.

The Post reports that nearly \$7 of every \$10 given by political action committees in 1988 went to incumbents. Common Cause supports that finding with a study of its own indicating that House incumbents enjoyed a 7-to-1 PAC funding advantage over challengers.

Mr. President, these numbers are important. They are part of the reason why Republicans, Democrats and the American people want campaign spending reform. Let me underscore that Republicans are determined to produce real campaign finance reform—fair to Democrats and Republicans, to incumbents and challengers alike.

Let us look at the numbers. According to the Post survey, PAC's gave \$99 million to Democrats last year and \$72 million to Republicans. Yet from that total \$117 million went to incumbents and only \$36 million to their challengers. In last year's Senate races, incumbents had a 314-percent PAC funding advantage over their challengers. But in the House of Representatives, the difference is even more staggering: PAC donations totaled \$86 million for House incumbents, while House challengers received less than \$11 million.

Mr. President, I ask unanimous consent that the full Washington Post report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PAC'S POURED \$172.4 MILLION INTO RACES:
NEARLY \$7 OF EVERY \$10 GIVEN IN 1988
WENT TO INCUMBENTS

(By Richard Morin)

Political action committees (PACs) spent \$172.4 million to support candidates running for federal office last year, with nearly \$7 out of every \$10 going to benefit congressional incumbents, according to a computer analysis of federal contribution reports by the Washington Post.

PAC money continued to pour in even after Election Day, the analysis found, with PACs contributing more than \$2.4 million between Nov. 9 and the end of the year.

And while PACs are limited to contributing \$5,000 directly to individual campaigns during each election, the study showed that many PACs avoid the spending limits by making hundreds of thousands of dollars in "independent expenditures" to help individual candidates, or by sponsoring joint fundraisers with a favored politician and splitting the proceeds with the candidate's campaign.

For example, the Auto Dealers and Driver for Free Trade—a PAC associated with foreign auto manufacturers—spent a total of \$525,539 on behalf of the Senate campaign of Nevada Republican Chic Hecht, much of it to buy time for television advertising. Even though PACs spent more than \$1.7

million on his 1988 reelection effort, Hecht lost.

The foreign auto dealers did make some better investments, including \$337,550 to support the campaign of Connie Mack III (R), who narrowly defeated his Democratic rival last year in Florida's Senate race.

The auto PAC also spent \$325,126 on the successful Senate campaign of Trent Lott (R-Miss.), whose move up from the House also was supported by \$340,998 from the Realtors Political Action Committee.

According to the analysis, nearly \$1 out of every \$10 PACs spent on the 1988 campaign was an independent expenditure on behalf of a candidate, with some outlays totaling more than \$300,000 each.

The PAC contribution figures are based on Federal Election Commission data collected through the end of 1988 and provided to The Post on computer tape.

The reported totals are based on both direct and indirect contributions made through the end of last year to candidates who ran for federal office in 1988. The figures do not reflect additional contributions or refunds made this year, so the results may vary somewhat from running totals kept by individual candidate committees or PACs.

The contributions include direct-cash donations to candidate committees and "in-kind" expenditures made on behalf of candidates. The totals also reflect expenditures made on behalf of a candidate without the direct involvement of a candidate's campaign committee. An example of such a transaction might be a PAC's purchase of television time for a partisan ad independent of a candidate's campaign committee.

The biggest PAC giver in the last campaign, the analysis showed, was the National Security Political Action Committee (NSPAC), a controversial PAC that claims to have spent \$8.5 million on behalf of candidates in last year's election.

Of that total, more than \$8 million allegedly went to support the election of George Bush. But that figure is misleading because only \$116,774 represented actual cash outlays on behalf of any candidate. The remainder largely went to support NSPAC operations, including its expensive mail fundraising campaign.

Last year, senior Bush campaign officials denounced NSPAC and publicly disassociated the campaign from the PAC's controversial fund-raising efforts.

Jan W. Baran, general counsel to the Bush campaign, accused NSPAC in June of spending the majority of its money for fund-raising and operating costs and said groups such as NSPAC "prey on the elderly."

NSPAC political consultant Floyd Brown dismissed the charges at the time as the Bush campaign's way of "keeping an arm's-length distance" from the group's independent expenditures.

The Realtors Political Action Committee, which gave \$4.1 million, was the second-largest PAC, the analysis showed. The American Medical Association gave \$3.1 million, the Democratic Republican Independent Voter Education Committee of the Teamsters Union contributed \$2.7 million, and the Auto Dealers and Driver for Free Trade gave \$2.5 million.

PACs spent \$50 million for Senate candidates: \$31.1 million went to help the reelection campaigns of incumbent senators. PACs spent \$24 million to help Senate Republicans and \$25.4 million to aid Senate Democrats, according to The Post analysis.

In Senate races, Lloyd Bentsen (D-Tex.) easily led, with more than \$2.3 million in PAC dollars going to his reelection effort through the end of 1988. Pete Wilson (R-Calif.) received \$1.9 million in both direct and indirect support; Hecht \$1.7 million; Lott (R-Miss.) \$1.7 million and David P. Durenberger (R-Minn.) nearly \$1.7 million in assistance from PACs.

In House races, PACs spent \$106.4 million through the end of 1988: \$86.4 million went to incumbents. House Republicans received \$36.4 million, while Democratic candidates in the House received \$69.4 million in direct and indirect support.

PACs spent a total of \$610,107 on the reelection campaign of Rep. Richard A. Gephardt (D-Mo.) through the end of 1988. PACs supported Rep. Bill Emerson (R-Mo.) with \$579,478 and House Majority Leader Thomas S. Foley (D-Wash.) with direct contributions and independent expenditures totaling \$575,086. House Minority Leader Robert H. Michel (R-Ill.) got \$555,340, and Rep. John Hiler (R-Ind.) received a total of \$542,000 in PAC assistance through the end of 1988.

As in previous campaigns, most PAC dollars were spent on behalf of incumbents. The analysis showed that PAC support to incumbent members of Congress totaled \$117.5 million. Challengers to incumbents received directly or indirectly \$35.6 million, while candidates competing for the relatively few open seats received \$19.4 million, including \$16 million to all 1988 presidential candidates.

Democrats received \$99 million in direct or indirect contributions from PACs, while Republicans got \$72.2 million.

PACs: THE GIVERS AND THE TAKERS

More than \$172 million flowed from 3,683 political action committees (PACs) to support the election bids of 873 House candidates, 101 Senate candidates and 25 presidential candidates last year.

And if those numbers aren't enough, what follows is a more detailed look at who got what from whom.

The dollar totals are based on a computer analysis by The Washington Post of Federal Election Commission (FEC) contributions data collected through the end of 1988. The totals include direct PAC contributions to political campaigns and independent expenditures made on behalf of a candidate—a type of support that falls outside FEC contribution limits.

These totals differ, in some cases by millions of dollars, from those released by the FEC, which does not include some types of PAC support to candidates in its published totals.

Taken together, the numbers suggest the high price of politics in 1988—a price many were willing to pay.

Total PAC Support: \$172,455,051

To:	
All candidates.....	\$172,455,051
Republican candidates.....	72,198,597
Democratic candidates.....	99,015,058
Candidates after election day....	2,447,689
Incumbents.....	117,496,852
Challengers.....	35,559,033
Candidates for open seats.....	19,399,166
Presidential candidates.....	16,062,059
Senatorial candidates.....	50,006,998
House candidates.....	106,385,994
Incumbent senators.....	31,107,577
Challengers for Senate seats.....	8,868,816
Candidates for open Senate seats.....	10,030,605
Incumbent House members.....	86,389,275

Challengers for House seats.....	10,628,158
Candidates for open House seats.....	9,368,561
Senate Republicans.....	24,005,638
Senate Democrats.....	25,417,555
House Republicans.....	36,356,509
House Democrats.....	69,418,298
Incumbent Republican senators.....	14,972,014
Incumbent Democratic senators.....	16,135,563
Republican challengers for Senate seats.....	3,617,186
Democratic challengers for Senate seats.....	4,667,825
Republican candidates for open Senate seats.....	5,416,438
Democratic candidates for open Senate seats.....	4,614,167
Incumbent Republicans in House.....	30,325,095
Incumbent Democrats in House.....	55,467,104
Republican challengers for House seats.....	2,426,095
Democratic challengers for House seats.....	8,191,755
Republican candidates for open House seats.....	3,605,319
Democratic candidates for open House seats.....	5,759,439
Bush.....	10,357,970
Dukakis.....	2,447,973
Republican Presidential candidates.....	11,836,450
Democratic Presidential candidates.....	4,179,205
Candidate support from:	
Corporate PACs.....	55,367,732
Corporate PACs to Republicans.....	29,604,527
Corporate PACs to Democrats.....	25,582,981
Labor PACs.....	34,945,013
Labor PACs to Republicans.....	2,440,310
Labor PACs to Democrats.....	32,059,982
Special interest groups.....	41,031,569
Special interest groups to Republicans.....	18,828,318
Special interest groups to Democrats.....	21,921,781
Other PACs.....	41,110,737
Other PACs to Republicans.....	21,325,442
Other PACs to Democrats.....	19,450,314
PAC support to House candidates:	
Richard A. Gephardt.....	610,107
Bill Emerson.....	579,478
Thomas S. Foley.....	575,086
Robert H. Michel.....	555,340
John Patrick Hiler.....	542,000
David E. Skaggs.....	525,605
Jim Moody.....	525,497
Nancy Pelosi.....	524,130
Vic Fazio.....	512,580
Robert T. Matsui.....	482,414
PAC support to Senate candidates:	
Lloyd Bentsen.....	2,361,795
Pete Wilson.....	1,932,412
Chic Hecht.....	1,748,551
Trent Lott.....	1,713,030
Dave Durenberger.....	1,679,007
Connie Mack.....	1,589,878
Frank Lautenberg.....	1,475,373
James Sasser.....	1,401,418
John Heinz.....	1,357,849
George Voinovich.....	1,356,958
Top PAC spenders: PAC name and total support given to '88 candidates:	
National Security PAC.....	8,524,679
Realtors PAC.....	4,143,821
American Medical Association PAC.....	3,068,486

Democratic Republican Independent Voter Education Committee (Teamsters).....	2,731,249
Auto Dealers and Driver for Free Trade PAC.....	2,500,422
National Education Association PAC.....	2,054,254
National Association of Retired Federal Employees PAC.....	1,926,750
UAW-V-CAP (United Auto Workers Voluntary Community Action Program).....	1,922,099
National Committee to Preserve Social Security PAC.....	1,859,896
Association of Trial Lawyers of America PAC.....	1,795,308

The National Security PAC spent a total of \$8.5 million in support of candidates who ran for federal office in 1988; that total has been questioned, as it apparently includes some PAC operating expenses.

MOST SUPPORT FROM A SINGLE PAC

Candidate	PAC	Total support
Chic Hecht.....	Auto Dealers and Driver for Free Trade.....	\$525,539
Trent Lott.....	Realtors PAC.....	340,998
Connie Mack.....	Auto Dealers and Driver for Free Trade.....	337,550
Trent Lott.....	Auto Dealers and Driver for Free Trade.....	325,126
John D. Melcher.....	Realtors PAC.....	224,038

Mr. DOLE. No doubt about it, PAC's have earned some bad publicity lately. Ironically, political action committees were created as part of the sweeping post-Watergate reform movement. And now the reform, as happens too often—when you put the word "reform" on something everybody is for it—but now we need to reform the reforms that were brought about by Watergate.

PAC's were originally designed to give individuals more opportunity to participate in the political process at the grassroots level. Unfortunately, many PAC directors have forgotten this noble history. Looking at how PAC money is distributed, it is easy to see their game.

PAC's give to incumbents, and that is me and other incumbents in this Chamber, because access to an officeholder is more important than a Member's party, ideology, or even voting record on the issues, and I never knew you had to buy access.

But PAC directors defend their incumbency protection plan as a response to a lopsided system that overwhelmingly favors incumbents; in other words, their theory is that incumbents are going to win, so you better give your money to incumbents and they point to a 98-percent reelection rate posted by House incumbents last year to support their claim. By giving to incumbents, PAC directors argue that they are making a better investment.

Well, the American people may or may not buy that argument.

If our democratic system is going to work, challengers must have an opportunity to truly compete for elected office.

As a member of the Rules Committees who is genuinely interested in this issue, I am grateful to the chairman,

Senator FORD, and the ranking members, Senator STEVENS, for scheduling these hearings on a bipartisan basis. And they will be on a bipartisan basis.

I understand the first panel will be led by the distinguished majority leader and the second panel will be led by this Senator.

I look forward to an extensive debate in the committee. I know that we have some differences, but again, they are not major.

I believe there is an opportunity for bipartisan agreement on campaign finance reform.

I will speak as one who has been a big PAC recipient. I have my own PAC. So I am not here suggesting that I am right and everybody else is wrong. I read periodically that I am one of the top recipients of PAC contributions. So I do not stand here saying, "Well, I've never taken any PAC contributions."

But it seems to me that we ought to give the process back to the people and take it away from the PAC directors. PAC directors are all fine people, but they are looking for incumbency. If you are elected, you are going to stay elected as far as they are concerned regardless of party, regardless of ideology, unless you are just totally off the wall on an issue that might affect them.

I have respect for those who give their money to PAC's but maybe they should be able to earmark those contributions, because many times those who give PAC contributions never know what happens to the money, never know how it is disbursed until the election is over and then you go to these meetings and the PAC director stands up and says, "Boy, we've had another good year; 99-percent of the people we gave to won."

Obviously, you say, "How many challengers did you give to?"

"Oh, we don't give to challengers. We gave to two or three where there is an open seat; only where there is an open seat."

So I would say having been involved in the business of raising money at different levels, it is distasteful and I think many of my colleagues on both sides do not enjoy it. We know it is necessary and we have to have money. Sixty percent of it goes to television.

So I do not see any real reason for partisanship. I think there are only a couple of major areas where we are in disagreement.

I missed the debate last year. It was extensive and it was explosive.

But hopefully this year we can hammer out some provision that will demonstrate to the American people that we know it is asking too much to spend \$30 million on Senate races. It is a lot of money for a job that pays \$89,000 a year.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from Kentucky.

Mr. FORD. Mr. President, since the distinguished Republican leader used my name as chairman of the Rules Committee and that we are going to start hearings on a bipartisan effort, I was somewhat discouraged not too long ago when those who have a finance reform bill called upon the Rules Committee to hold hearings and at the time they called upon us to hold hearings we had already scheduled them. So I hope that we can take this out of the political arena a little bit if we can and try to put it into a reasoned sort of way. It appears that we are getting into a PAC-bashing arena.

I understand that very well because I am a recipient of PAC contributions as is the distinguished Republican leader, and we admit that. That is the way we play the game.

But at some point we are going to have to put a cap on the amount of money we can spend. It is a little disheartening to some of those when there is an open seat when an individual can spend millions and millions of his own money to win a seat. That is as bad as accepting the PAC money.

So we have become a House of Lords almost when we are saying to those who have children, and they are trying to educate their children, we need their input in the discussion of the U.S. Senate and what the future might hold.

So I hope that in addition to considering the problems with PAC's that we also would give some sympathy to the limitation of the expenditure of funds as it relates to Senate campaigns.

Of course, they come right back and they say that gives the incumbent a lead that he has had an opportunity to get out and make speeches, he is a Senator, and that sort of thing.

But by spending millions and millions of dollars, it forces then even an incumbent to attempt to try to raise additional funds that would not necessarily be needed.

So I hope that we can find a way in the next few weeks to come to an agreement where we can get into reforming the finance of our political campaigns and also we can put some kind of a cap on the expenditure within these various and sundry races.

I look forward to working with the majority leader and the Republican leader to that end.

I thank the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, if there is one thing on which we all can agree, Members of the Senate, Republicans, Democrats, citizens, it is that American political campaigns are too long and too expensive.

I am encouraged by the emphasis given to this matter by the distinguished Republican leader, and I join him in commending the chairman of

the Rules Committee for proceeding promptly to hearings on this matter.

I believe that both of the major political parties have failed to meet their responsibilities to the American people in this area, both have confused their political interests with the public interest, and it is my hope that in the spirit in which the Republican leader discussed the subject today, that of bipartisanship and good faith, willingness to compromise, we can this year achieve meaningful political campaign reform.

It is urgently necessary. The sums involved reach record levels with each election. The time demands upon Senators to engage in fundraising continue to increase, and the possibility for corrupting influences in the legislative process grows accordingly.

I hope very much that we, both the distinguished Republican leader and myself and our colleagues on each side, will be able to put aside the difficulties of the past, especially last year—I noticed the distinguished Republican leader said he missed the debate; believe me, he did not miss anything—and also can put aside attempting to calculate what is the immediate political interest of our party in a particular change. Because, as we have seen during the past decade, when we try to do that, almost invariably we get wrong the political effect and the substantive effect.

The overwhelming singular feature of the current system is the advantage it gives to incumbents. What we have to do is to try to structure something that incumbents will vote for and yet that is fair to all concerned, especially to the American people.

So I just want to make clear that, on behalf of the Democrats in the Senate, we accord this matter a very high priority and we will be making a maximum effort to achieve meaningful campaign finance reform in this Congress.

Mr. BYRD. Will the distinguished majority leader yield?

Mr. MITCHELL. I yield the floor.

Mr. BYRD. I just want to say that I am delighted there is interest being shown in campaign financing reform. Proponents spent many days over a period beginning in June of 1987 and spanning 9 months trying to invoke cloture on campaign finance reform. We endeavored eight times to invoke cloture—and failed. So I hope there is beginning to be some constructive movement on this important issue. It is an idea whose time has long past come. I still maintain that there can be no genuine campaign finance reform without a limitation on overall campaign expenditures.

I congratulate the chairman of the Senate Committee on Rules and Administration for the hearings which he has scheduled beginning on Wednes-

day. I will be appearing at those hearings, along with Senator MITCHELL and Senator BOREN and other Senators. I hope that the committee can address the matter and report out some meaningful legislation and that it can be taken up on the floor and that this year campaign finance reform will pass.

Mr. President, I yield the floor.

EXTENSION OF MORNING BUSINESS UNTIL 4:45 P.M.

Mr. MITCHELL. Mr. President, I know we have at least two Senators wishing to speak, possibly three. Therefore, I ask unanimous consent that the time for morning business today be extended to 4:45 p.m., with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REGIONAL DISPARITIES IN MEDICARE PHYSICIAN REIMBURSEMENT

Mr. GRASSLEY. Mr. President, recently I received a most interesting position paper from the Iowa Medical Society.

This paper documents what physicians in my State and other States of the upper Midwest have realized for some time, namely, that there are large differences in Medicare physician reimbursement from one area of the country to another for the same services.

Of particular interest to Iowa physicians, and this Senator from Iowa, is that physicians in my own State, and in the west north central part of the country generally—that is Iowa, Minnesota, Missouri, North Dakota, South Dakota, Nebraska, and Kansas—clearly receive much lower compensation for their services to Medicare beneficiaries than do physicians in other parts of the country.

In fact, it is even the case that physicians in different regional areas within the State of Iowa receive significantly different levels of Medicare reimbursement for the same services.

These assertions, and the remainder of my remarks, are based on prevailing charge reports completed by the Minnesota Medical Association using Health Care Financing Administration part B Medicare annual data for 1986. They reflect the controlling prevailing charge levels actually used to determine reimbursement to participating physicians.

Let us take variations within Iowa first. The Iowa Medical Society analysis shows that in Clinton, IA, intermediate service provided in a hospital emergency department by a family physician would be reimbursed at \$9. This amount includes copayments and deductibles. The same service provided

by a family physician in Davenport would be reimbursed at a rate of \$17, a 90-percent difference, and only 40 miles separating the two communities.

A general surgeon in Fort Dodge receives \$50 for a comprehensive initial consultation. In Carroll, just 50 miles away, a general surgeon receives \$75 for the same service, \$25, or 50 percent, more.

The differences between Iowa and other parts of the country are even more striking. For initial comprehensive hospital care by a family physician, Medicare controlling prevailing charges in most Iowa localities are set at \$44. But in the Pacific region of the country, the average Medicare controlling prevailing charge is \$105, more than twice what it is in Iowa. The national average for this service is \$76, some 73 percent higher than in most Iowa localities.

That may be an extreme example. But I think that one will find in virtually all procedures that physicians in Iowa are compensated less, and sometimes substantially less, than physicians in other areas by Medicare.

According to the Iowa Medical Society, in a ranking of overall average reimbursement levels for all services, the seven Iowa localities rank from 184th to 222d nationally, with 226 being the lowest reimbursement rank for the entire country.

So what, you may ask? Is it not generally cheaper to practice in Iowa? Well, it is not so clear that medical practice-related costs in Iowa are so much cheaper, or, at any rate, whether they are cheaper enough to warrant reimbursement differences of this magnitude.

Indeed, the Iowa Medical Society reminds us that current reimbursement levels are based on historical charge patterns prevalent in the 1970's. It is the position of the Iowa Medical Society that these prevailing charges bear little or not relationship to current practice costs in Iowa.

And I want to point out, just in case it is not obvious, that such reimbursement disparities affect not just physicians, but have more general consequences for the availability of health care in Iowa.

These disparities affect also Medicare beneficiaries, all other Iowans, and other health and allied health professionals in Iowa.

Medicare beneficiaries are affected because physicians will become more and more reluctant to accept Medicare assignment if the reimbursement they receive from Medicare is so low it hardly begins to cover the cost of offering the service. Low Medicare physician reimbursement, in other words, causes a shift in the payment load from Medicare to the individual beneficiary.

In fairness I should point out that higher physician reimbursement levels

will mean higher copayments for Medicare beneficiaries, but that should be offset by a greater willingness of physicians to accept assignment.

These reimbursement disparities also involve a subsidization by Iowa taxpayers of Medicare beneficiaries and physicians in other parts of the country where reimbursement levels are higher.

Iowans who are not Medicare beneficiaries, and who require the services of a physician, are also affected.

Inadequate Medicare reimbursement means that a certain amount of cost-shifting to non-Medicare beneficiaries will occur. If physicians do take assignment, or are not compensated by the Medicare patient for the amount the physician charges above what Medicare will reimburse, then cost-shifting can also result.

The people of my State are also affected because inadequate physician reimbursement can make it difficult to attract physicians to the State. Why should young physicians come to Iowa when they can locate and establish a practice elsewhere where Medicare reimbursement is so much more generous?

Or, if they are established in Iowa in a practice dependent on Medicare, why should they stay there, when they can leave to reestablish themselves elsewhere where Medicare reimbursement is higher?

Other health and allied health professionals, who staff the clinics and doctors' offices, and who are dependent on the presence of physicians, and to some extent on the level of Medicare reimbursement those physicians receive, may also be discouraged from coming to Iowa or encouraged to relocate elsewhere.

Mr. President, many of us who represent rural communities are losing patience with the gross inequities inherent in Medicare reimbursement for the citizens of our States. In that regard, we are looking forward to participating in the ongoing discussions on Medicare physician payment reform.

We hope that the Physician Payment Review Commission, as it reviews reimbursement reform proposals, will keep in mind the concerns we have about regional disparities of the sort I have been discussing here. We anticipate that our citizens will be more fairly treated by Medicare when a physician payment reform is in place.

I will sum up by saying that I hope the proper committees in both Houses of Congress will take a look at this and see if we cannot work out these disparities and really make it more equal, because if we do not enhance the reimbursement for physicians and enhance the position of physicians within my State and the other States of the

upper Midwest we are not going to get the physicians and medical care is going to decline further in the rural areas of America.

Mr. President, I ask unanimous consent that the Iowa Medical Society's position paper be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEDICARE REIMBURSEMENT TO IOWA PHYSICIANS

Federal "controlling prevailing charges" under Medicare bear little or no logical relationship to current practice costs in Iowa. The controlling prevailing charge is the amount the Health Care Financing Administration (HCFA) uses to determine the reimbursement for Medicare B (physicians' services) unless the physician's actual charge or customary charge is lower. The actual payment from Medicare is subject to co-payments and deductibles, which are the patient's responsibility. Beginning with 1987 reimbursements, the controlling prevailing charge for non-participating physicians (those who do not accept the Medicare allowed charge as full reimbursement 100% of the time) is less than that for participating physicians. For further details, see the section title "Calculation of the Prevailing Charge".

While the prevailing charge limits apply to physicians who participate in Medicare, non-participating physicians are also limited in how much they can charge Medicare patients through the Maximum Allowable Actual Charge (MAAC) limit imposed by Medicare. The MAAC constitutes an actual charge limit on each Medicare charge of a non-participating physician, thus prohibiting any physician who treats Medicare patients from charging his or her actual charge unless it is below the MAAC limit.

REGIONAL, NATIONAL VARIATIONS

A review of Medicare controlling prevailing charges shows considerable variation between regions in Iowa for the same service provided by physicians in similar practices. For example, using 1986 data, a general surgeon in Fort Dodge receives \$50 (including co-payments and deductibles) for a comprehensive initial consultation—\$25 less than a general surgeon in Carroll who receives \$75 for the same service. On the other hand, a urologist in Fort Dodge receives more for an initial consultation than would a urologist located in Carroll—\$105 in Fort Dodge compared with \$88 in Carroll.

In Clinton, intermediate service provided in a hospital emergency department by a family physician would be reimbursed at \$9. The same service by a family physician in Davenport would be reimbursed at a rate of \$17.

Differences between the Midwest and other parts of the country are even more striking. In a countrywide ranking of overall average reimbursement levels for all services, Iowa localities 1 through 7 range in ranking from 184 to 222, with 226 being the lowest reimbursement rank for the entire country. Even among Midwestern States, Iowa's overall rank is low.

A comparison of specific services with other parts of the country shows major variations between regions. In an extreme case, for initial comprehensive hospital care by a family physician, Medicare controlling prevailing charges in Iowa range from a low of \$33 in Iowa locality 1 (Southeast Iowa) with

Medicare controlling prevailing charges in most Iowa localities set at \$44. In contrast, the average Medicare controlling prevailing charge in the Pacific region of the country is \$105, well over twice the Medicare controlling prevailing charge in most Iowa localities. Even the national average of \$76, while much less than in the Pacific region, is nearly 73% higher than in most Iowa localities.

Efforts to prohibit Iowa physicians from charging their normal fees are particularly onerous when these inequities in the Medicare reimbursement system are considered. Regional variations in physicians' charges that existed in 1971 are locked in under the current system (see "Calculation of the Prevailing Charge") even though those reimbursement variations today may not be related in any way to today's practice costs.

Iowans pay taxes at the same rates as other U.S. citizens, yet the federal government chooses to reimburse Iowa physicians at rates that are significantly less overall than in most other parts of the country. This creates more pressure for physicians in rural states such as Iowa to balance bills than in regions where reimbursements are significantly higher, as in the New England states.

CALCULATION OF THE PREVAILING CHARGE

The controlling prevailing charge is the amount the Health Care Financing Administration (HCFA) used to determine the reimbursement for Medicare B (physician's services) unless the physician's actual charge or customary charge is lower. The actual payment from Medicare is subject to co-payment and deductibles, which are the patient's responsibility.

To calculate the prevailing charge, charges for a specific procedure by physicians in like specialties and like geographic localities are arranged in ascending order. The prevailing charge is calculated at the 75th percentile of the array (i.e. 75% of charges fall below the prevailing charge and 25% of charges exceed the prevailing charge).

Prevailing charges are further limited by the amount they may increase from one year to the next by the "Medical Economic Index" (MEI). Certain types of services (such as durable medical equipment, ambulance, and laboratory) are exempt from this economic index limitation. As the base period for calculation, HCFA used charges billed in calendar year 1971.

These prevailing charges became the basis for all future calculations of adjusted prevailing charge limitations. HCFA calculates the MEI used each year. The index is then multiplied times the base year prevailing charge, giving us the adjusted prevailing charge limitation for the year. When the adjusted prevailing charge is less than the prevailing charge calculated at the 75th percentile, the adjusted prevailing charge is used. This is almost always the case. The prevailing charge actually used for reimbursement is referred to as the controlling prevailing charge.

The prevailing charge for non-participating physicians is further limited as a result of the Omnibus Budget Reconciliation Act (OBRA) of 1986. The prevailing charge limit for non-participating physicians was calculated at 96 percent of the participating prevailing charge for services in 1987 and at 95.5% of the participating prevailing charge in 1988.

COMPARISON OF PREVAILING CHARGES FOR SELECTED PROCEDURE CODES IN SELECTED MEDICARE LOCALITIES

The following information is excerpted from prevailing charge reports completed by the Minnesota Medical Association using Health Care Financing Administration (HCFA) Part B Medicare Annual Data (B-MAD) tapes containing the 1986 controlling prevailing charge levels actually used to determine reimbursement to participating physicians.

Data for Michigan localities and 3 of 11 Wisconsin localities are not included. There are 226 medical localities nationally, 8 in Iowa. A map of Iowa localities is attached. Information regarding Iowa locality 8 is not included in the following charts because data collection methodology is not the same as for other Iowa localities.

Comparisons are made with other parts of the country using average dollar reimbursements within U.S. Census Bureau Regions. A list of states in those regions is attached.

PREVAILING MEDICARE CHARGES BY PROCEDURE CODE

(900-40—Office visit, established patient, brief service)

	Family practice	Internal medicine	Ophthalmology
New England.....	\$20	\$22	\$21
Pacific.....	18	21	19
West North Central.....	15	17	16
Iowa 1 (SE).....	13	17	15
Iowa 2 (NE).....	13	13	15
Iowa 3 (NC).....	13	16	15
Iowa 4 (SC).....	11	15	13
Iowa 5 (DM).....	15	16	15
Iowa 6 (NW).....	12	17	15
Iowa 7 (SW).....	13	18	17
National average.....	17	19	18

(90060—Office visit, established patient, intermediate service)

	Family practice	Internal medicine	General surgery
New England.....	\$31	\$31	\$28
Pacific.....	29	33	32
West North Central.....	28	24	21
Iowa 1 (SE).....	20	24	23
Iowa 2 (NE).....	19	25	20
Iowa 3 (NC).....	18	26	16
Iowa 4 (SC).....	17	22	17
Iowa 5 (DM).....	21	27	20
Iowa 6 (NW).....	16	24	18
Iowa 7 (SW).....	18	25	18
National average.....	24	26	26

(90220—Initial hospital care, comprehensive service)

	Family practice	Internal medicine	General surgery
New England.....	\$77	\$83	\$74
Pacific.....	105	108	101
West North Central.....	61	77	89
Iowa 1 (SE).....	33	66	55
Iowa 2 (NE).....	44	88	55
Iowa 3 (NC).....	44	66	44
Iowa 4 (SC).....	42	55	44
Iowa 5 (DM).....	55	77	55
Iowa 6 (NW).....	44	77	44
Iowa 7 (SW).....	44	77	55
National average.....	76	88	81

(90515—Emergency department visit, intermediate service)

	Family practice	Internal medicine	General surgery
New England.....	N/A	\$34	\$37
Pacific.....	70	75	76
West North Central.....	32	41	35

[90515—Emergency department visit, intermediate service]

	Family practice	Internal medicine	General surgery
Iowa 1 (SE).....	17	22	33
Iowa 2 (NE).....	9	33	33
Iowa 3 (NC).....	17	33	33
Iowa 4 (SC).....	17	33	33
Iowa 5 (DM).....	17	33	33
Iowa 6 (NW).....	17	33	33
Iowa 7 (SW).....	17	33	33
National average.....	44	49	49

[90620—Initial consultation, comprehensive]

	Internal medicine	General surgery	Urology
New England.....	\$90	\$80	\$85
Pacific.....	111	104	98
West North Central.....	89	77	88
Iowa 1 (SE).....	88	80	80
Iowa 2 (NE).....	100	52	55
Iowa 3 (NC).....	88	88	88
Iowa 4 (SC).....	66	75	99
Iowa 5 (DM).....	110	110	105
Iowa 6 (NW).....	95	50	105
Iowa 7 (SW).....	88	75	88
National average.....	94	85	84

Prevailing Medicare Charges by Procedure Code

SURGERY

58150—Total hysterectomy:	
New England.....	\$1,077
Pacific.....	1,192
West North Central.....	865
Iowa 1 (SE).....	887
Iowa 2 (NE).....	776
Iowa 3 (NC).....	887
Iowa 4 (SC).....	887
Iowa 5 (DM).....	887
Iowa 6 (NW).....	776
Iowa 7 (SW).....	887
National average.....	1,011

27130—Total hip replacement:	
New England.....	\$2,417
Pacific.....	3,121
West North Central.....	2,112
Iowa 1 (SE).....	2,218
Iowa 2 (NE).....	2,218
Iowa 3 (NC).....	2,191
Iowa 4 (SC).....	2,000
Iowa 5 (DM).....	2,218
Iowa 6 (NW).....	2,107
Iowa 7 (SW).....	2,218
National average.....	2,692

MEDICARE PREVAILING CHARGES—IOWA LOCALITIES' RANKING COMPARED NATIONWIDE

Of the 226 Medicare localities nationwide, Iowa localities rank as follows with 1 being the highest overall reimbursement and 226 having the lowest overall reimbursement.

Locality	Rank
Iowa 1 (SE).....	213
Iowa 2 (NE).....	216
Iowa 3 (NC).....	215
Iowa 4 (SC).....	222
Iowa 5 (DM).....	184
Iowa 6 (NW).....	220
Iowa 7 (SW).....	195

UNITED STATES CENSUS AREAS

New England

Maine	Massachusetts
New Hampshire	Rhode Island
Vermont	Connecticut

East North Central

Ohio	Michigan
Indiana	Wisconsin
Illinois	

South Atlantic

Delaware	North Carolina
Maryland	South Carolina
Washington, DC	Georgia
Virginia	Florida
West Virginia	

East South Central

Kentucky	Alabama
Tennessee	Mississippi

Mid-Atlantic

New York	Pennsylvania
New Jersey	

West North Central

Minnesota	South Dakota
Iowa	Nebraska
Missouri	Kansas
North Dakota	

Mountain Division

Montana	New Mexico
Idaho	Arizona
Wyoming	Utah
Colorado	Nevada

West South Central

Arkansas	Oklahoma
Louisiana	Texas

Pacific

Washington	Alaska
Oregon	Hawaii
California	

The PRESIDING OFFICER. The Senator from Nevada.

THE STILLWATER MARSHES

Mr. REID. Mr. President, the State of Nevada is known for many things. It is known for testing weapons; the Nevada test site is located in Nevada. It is known for Nellis Air Force Base and the Fallon Naval Air Station. And now they are talking about putting a nuclear repository in the State of Nevada.

But, Mr. President, Nevada is much more than a place for testing weapons and trying to place a nuclear repository. For about 10,000 years, the Stillwater Marshes have been part of the great migratory pattern for waterfowl in North America. I visited this beautiful area during our last break. This 10,000-year-old source of beauty and wildlife is drying up, literally disappearing before our eyes.

This great marsh area used to cover 100,000 acres. Now, it stretches for less than 3,000 acres. That shrinkage is causing great harm to North American waterfowl and our entire continent.

We were able, while I was there, to find one nesting area for Canadian geese. That's all that is left of hundreds of nesting areas. It used to be that on these islands in the Stillwater Marsh, there would be 200 nesting areas for Canadian geese. That abundance is now history.

Because of the Newlands project of the Bureau of Reclamation; because of the growth in the area; and because of

endangered species, this area is drying up. There are many reasons for this environmental tragedy.

Every year, there are hundreds of thousands of ducks, thousands of geese, and thousands of swans that use this unique sanctuary.

In fact, located 60 miles away is an island called Anaho in Pyramid Lake. It is by far the primary home for white pelicans. This is a story of nature and of nature being in trouble, because these white pelicans in Pyramid Lake have nothing to eat.

These white pelicans fly 60 miles every day to eat and take food back to their young offspring. But, Mr. President, that is just part of the tragedy. There are no young pelicans being born. Why? Because there is nothing to eat in Stillwater. If something does not happen soon, these white pelicans will be gone forever. Nevada's loss, and this is the largest, will be the country's loss, too, for Stillwater is the largest nesting area for white pelicans in North America.

This disappearing natural habitat is not just important to Nevada. It affects the entire North American Continent because it is the only place in the Great Basin where they can come and feed for their winter trip to South America. The food they used to eat in the Stillwater Marshes—small crabs, shrimp, flies—will no longer be there. We have to do something. And we have to do it soon.

There is going to be legislation introduced in the next few weeks that will allow fresh water to be purchased for Stillwater. This legislation is important to the whole continent and, unless we do something soon, it will be a thing of the past. And that would be a tragedy for all America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

THE FSX SALE: NOT IN OUR NATIONAL INTEREST

Mr. DIXON. Mr. President, I would like to take a few moments to discuss the proposed FSX sale, a subject I have warned about on this floor several times before. The FSX Program involves the sale of F-16 fighter technology to Japan as proposed in the United States-Japanese fighter codevelopment program.

The General Accounting Office just last week gave a briefing on its preliminary findings on this codevelopment Japanese FSX aircraft program. To sum up the GAO conclusions in a few words: "We know what the Japanese are getting from the United States; we don't know what we are getting from the Japanese!"

According to the GAO, what we are giving the Japanese is something that they greatly lack the ability to learn,

aircraft systems integration. We, in turn, are to receive Japanese composite wing technology which they have not produced and which many of our leading aircraft companies already have. We will also receive new radar technology which the Japanese have not proven out. Here again we have companies in the United States which are way ahead of the Japanese. Why does the Defense Department want this deal? Are we giving away our technology for political expediency?

We are told that if we did not agree to this technology transfer, the Japanese were prepared to go it alone and develop their own fighter. I do not accept that premise, however, and I do not believe we ever really seriously tried to convince the Japanese to purchase the F-16 or another American aircraft instead.

Not very long ago, Israel decided not to proceed with development of a new home-built fighter aircraft, the Lavi. Israel exists in a very high-threat environment. Israel has a fighter air force considerably larger than Japan's—582 fighter aircraft for Israel versus 307 for Japan. There were substantial incentives for Israel to develop its own aircraft, yet its leaders chose to buy from the United States instead. Israel did so because the country could save substantial defense dollars by doing so, and because we devoted high-level attention to making our case for purchase from us rather than manufacture in Israel.

On the other hand, article 9 of the Japanese Constitution states:

The Japanese people forever renounce war as a sovereign right of the Nation and the threat or use of force as a means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the State will not be recognized.

Japan, therefore, maintains only self-defense forces. It relies on the U.S. defense umbrella for a large portion of its protection. As a matter of Government policy, Japan does not export arms.

It therefore makes an awful lot of sense for Japan to do what Israel is doing: Buy its fighter aircraft from the United States.

Buying F-16's would be the most cost-effective alternative for Japan. Japan spends approximately 1.5 percent of its GNP on defense, as opposed to 6.7 percent for the United States. Buying American would save roughly \$30 million per aircraft over the proposed codevelopment program, giving the Japanese a lot more defense bang for each buck.

Moreover, it is sound trade policy for the Japanese. Japan runs persistent trade surpluses with the United States that exceed \$50 billion annually. Buying American defense weaponry can help reduce that deficit.

Finally, buying American fighter aircraft would provide convincing evidence that the Japanese are not using Government policy, as opposed to market forces, to build another export-driven industry. The policy of the Japanese Government is not to export defense items. The only real reason for Japan to insist on building its own fighter aircraft, therefore, has nothing to do with legitimate defense concerns. It could only be a Japanese desire to use the Japanese Government to build a civilian-oriented aerospace industry designed to challenge United States world leadership in this area.

The United States can make a compelling case for a Japanese purchase of United States-built F-16's instead of the FSX Program approach, Mr. President. Yet I have never heard any high-level American official attempt to make our case to Japan. In the case of the Lavi fighter program in Israel, there was a constant series of articles in the press on our efforts to convince Israel to abandon the idea of building its own fighter and buying American instead. We worked hard to convince Israel of the merits of our position, and we succeeded.

In this situation, however, American officials seemed to make no real effort to convince the Japanese to buy American, instead taking as a given the Japanese argument that fighter aircraft are somehow special.

The administration failed to consult with Congress when it negotiated the FSX sale. Now, feeling that it is committed, the administration is trying to reduce congressional opposition and opposition from many Cabinet Departments, including Commerce, and other executive branch officials by fine-tuning the transfer program.

Well, Mr. President, fine-tuning is not what is required; scrapping is what is needed. This agreement should be killed. We should go back to the negotiating table and begin to make our case for a Japanese purchase of F-16's or another American-built fighter aircraft.

Mr. President, Japan is one of our closest allies. It is one of our largest trading partners. We have a warm, friendly relationship with Japan, and it is in our national interest to maintain and build on that relationship.

The United States, however, is not the only party with an interest in a United States-Japan relationship. We sometimes seem to forget that our current, strong friendship with Japan is just as much in the interests of the Japanese as it is in ours. We are not the only ones who are forgetful—on some occasions, the Japanese also seem to forget that friendship between the United States and Japan entails obligations on their part and not just benefits for them.

The most recent example of Japanese forgetfulness of the obligations of their friendship involves the FSX Program, a subject I have warned about on this floor before. The FSX Program involves the sale of F-16 fighter technology to Japan as proposed in the United States-Japanese Fighter Codevelopment Program. I oppose the sale because I do not believe it is in the long-term national interest of the United States. I also oppose it because I do not believe it is in the long-term national interest of Japan if the Japanese take the time to view the sale in its total context, rather than simply focusing on its commercial potential for Japan, as they have done thus far.

Unfortunately, neither the United States nor Japan has been thinking long term. Instead, both parties have been thinking solely about short-term costs and benefits. That is a serious mistake, Mr. President. It is a mistake both for us and for them.

The argument for the technology transfer from the U.S. point of view is based on four points:

First, the sale is in our national and foreign policy interests;

Second, it will produce jobs for U.S. defense contractors;

Third, the United States will receive Japanese technology that will benefit our national security as a result of the transfer; and

Fourth, if we do not transfer the technology, the Japanese will simply build their own fighter.

Each of these arguments is flawed because each of them is based on a too narrow review of the FSX Program's actual merit.

I agree with the administration that it is important for the Japanese to modernize and expand their fighter aircraft force; that development is clearly in the national security and foreign policy interests of both the United States and Japan. However, I am afraid that the administration is using the undisputed merit of that general proposition as an argument for a much more dubious idea—that the transfer of F-16 technology to Japan is the best way to achieve the modernization of the Japanese fighter force in a mutually acceptable way.

The General Accounting Office just last week gave a briefing on its preliminary findings on the codevelopment Japanese FSX Aircraft Program. To sum up the GAO conclusions in a few words: "We know what the Japanese are getting from the United States; we don't know what we are getting from the Japanese!"

According to the GAO, what we are giving the Japanese is something they greatly lack the ability to learn, aircraft systems integration. We, in turn, are to receive Japanese composite wing technology which they have not

produced and which many of our leading aircraft companies already have. We will also receive new radar technology which the Japanese have not proven out. Here again we have companies in the United States which are way ahead of the Japanese. Why does the Defense Department want this deal? Are we giving away our technology for political expediency?

The simple truth is that the best way to modernize the Japanese fighter force—best for the United States and best for Japan—is for Japan to purchase United States built F-16's. Outright purchase is the cheapest way for the Japanese by far, and it will provide them with the fighters much more quickly than would the codevelopment program.

The administration, in negotiating this transfer, took a narrow, short-term view of our national security and foreign policy interests. Our negotiators failed to take our long-term economic interests into account. In fact, the process used to date seems designed to ignore the fundamental economic interests on which our basic national security ultimately depends.

The administration has failed to recognize that the primary short-term Japanese interest is not defense related, but rather the development of the kind of aerospace industry capable of competing across the full range of world markets. Japan does not have such an industry at the moment, but 30 years ago they did not have much of a semiconductor industry either, and we all know how things have changed in that industry. Yet, instead of thinking of the long-term health of our world heading aerospace industry, administration negotiators seem intent on aiding the establishment of another competitor in world markets, this time in the aircraft industry.

The risks of this shortsighted approach can be seen in what has happened to the United States semiconductor industry, which was also the undisputed world technology leader not very many years ago. As a result of the fierce Japanese competition, which was substantially aided by Japanese Government policy, our Defense Department has been forced to help finance Sematech, a consortium of United States semiconductor firms, to try to ensure that we remain competitive in the market we used to dominate.

I am not arguing, Mr. President, that we should be governed by protectionist concerns. I am not arguing that we should try to stop Japan from developing its aerospace industry. What I am arguing is that we need to at least consider the long-term implications of decisions the Government makes on the economic health and basic competitiveness of industries that are so important to our national security and our overall economy.

What I am arguing is that we should not be making it easier for the Japanese Government to finance the expansion of its aerospace industry.

Instead of considering the long-term competitive implications of the program, however, we have been treated to a simplistic analysis of the jobs involved in the technology transfer program. I am as concerned about jobs as anyone, but I am interested in jobs that will be here 20 years from now, not just jobs that will last a few years. It is also worth remembering that selling F-16's to Japan will create far more jobs than the technology transfer will.

We are told by the Defense Department and those defending this technology transfer that we will receive Japanese advanced radar and composite manufacturing technology in return and that codevelopment will benefit us both. I am the first to admit that we make considerable use of Japanese technology in the United States for both civilian and military purposes. I am well aware, for example, that we make considerable use of Japanese chips in the F-16 and in other advanced weapons, and that we use foreign-made machine tools in some critical defense applications. The world is increasingly interdependent, and we cannot go it alone. However, the issue is not whether technology transfer between two strong allies is good in the abstract. Rather, the question is whether this specific technology transfer is in our interest—whether its benefits are greater than its costs.

Viewed that way, the answer is clear: It is not a good deal. The few benefits we will receive are overwhelmed by the huge adverse effects this sale will have on the United States and our aerospace industry.

The final argument used by the administration negotiators is the weakest of all. We are told that if we did not agree to this technology transfer, the Japanese were prepared to go it alone and develop their own fighter. I do not accept that premise, however, and I do not believe we ever really seriously tried to convince the Japanese to purchase the F-16 or another American aircraft instead.

Not very long ago, Israel decided not to proceed with development of a new home-built fighter aircraft, the Lavi. Israel exists in a very high-threat environment. Israel has a fighter air force that is considerably larger than Japan's—582 fighter aircraft for Israel versus 307 for Japan. There are substantial incentives for Israel to develop its own aircraft, yet Israel's leaders chose to buy from the United States instead. They did so because they could save substantial defense dollars by doing so, and because we devoted high-level attention to making our case.

On the other hand, article 9 of the Japanese Constitution states:

The Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as a means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

Japan, therefore, maintains only self-defense forces. It relies on the U.S. defense umbrella for a large portion of its protection. As a matter of government policy, it does not export arms.

Common sense tells us that this is a strong rationale for Japan to do what Israel is doing: Buy its fighter aircraft from the United States. This would demonstrate their trust in the United States as an ally.

Further, this approach would be the most cost-effective alternative for Japan. Japan spends only approximately 1.5 percent of its GNP on defense, as opposed to 6.7 percent for the United States. Buying American would save roughly \$30 million per aircraft over the proposed codevelopment program, giving the Japanese a lot more defense bang for each buck.

There are other strong reasons for Japan to buy the F-16 off the shelf. Buying our aircraft would represent, in some small way, a recognition of the security benefits the Japanese receive and the substantial financial savings that result from being under the protection of the American defense umbrella.

Further, it is sound trade policy for the Japanese. They run persistent trade surpluses with the United States that exceed \$50 billion annually. Buying American defense weaponry can help reduce that deficit.

Finally, buying American fighter aircraft would provide convincing evidence that the Japanese are not using government policy, as opposed to market forces, to build another export driven industry. Japan has a very limited market for fighter aircraft. The policy of the Japanese Government is not to export defense items. The only reason for Japan to insist on building its own fighter aircraft, therefore, has nothing to do with legitimate defense concerns. It could only be the desire to use the Japanese Government to build a civilian-oriented aerospace industry designed to challenge United States world leadership in this area.

The United States can make a compelling case for a Japanese purchase of United States-built F-16's instead of FSX Program approach, Mr. President. Yet I never have heard of any high level American official attempt to make the case to Japan. In the case of the Levi Fighter Program in Israel, there was a constant series of articles in the press on our efforts to convince

Israel to abandon the idea of building its own fighter and buying American instead. We worked hard to convince Israel of the merits of our position, and we succeeded.

In this situation, however, American officials seemed to make no real effort to convince the Japanese to buy American, instead taking as a given the Japanese argument that fighter aircraft are somehow special.

We have heard this argument from Japan before. Rice is special; beef is special; supercomputers are special. In fact, quite a few areas where the United States has a cost or technological advantage seem to be special. I think we cannot afford to sit idly by and accept that position. We must challenge it when required by our long-term national interests. The United States-Japan relationship is not so fragile that it cannot withstand discussions on issues where we disagree.

The administration failed to consult with Congress when it negotiated the FSX sale. Now, feeling that it is committed, the administration is trying to reduce congressional opposition and opposition from many Cabinet departments and other executive branch officials by fine tuning the transfer program.

Mr. President, fine tuning is not what is required; scrapping is what is needed. This agreement should be killed. We should go back to the negotiating table and begin to make our case for a Japanese purchase of F-16's or another American-built fighter aircraft.

Over the longer term, we need to change the way we make these decisions, to see that the full range of American interests is considered. That means giving the Department of Commerce a much greater role. The Defense Department has a major role in the export of civilian technology with military implications. The Commerce Department must have a role in the export of military technology with civilian implications.

However, that is for the future. What we must do now is stop the FSX program. It is a bad deal for the United States. It is a bad deal for Japan. It is a bad deal for the United States-Japanese relationship. The deal should never have been made; it should not be implemented. It is time to start over.

Mr. President, I ask unanimous consent that an editorial from the St. Louis Post Dispatch, a distinguished newspaper in my part of the world of southern Illinois, of April 10, 1989, entitled "40 Percent of a Loaf" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

40 PERCENT OF A LOAF

President Bush reportedly favors going ahead with the U.S.-Japanese FSX fighter plane deal if Japan agrees to "certain clarifications." After some debate, the Japanese appear willing to accept these changes. But no one yet knows whether Congress will accept them—or even whether the new deal itself is in this country's interest.

The United States is running a trade deficit with Japan of \$50 billion a year, and few U.S. products that the Japanese could buy in quantity would bring down that figure. Military aircraft happen to be one of them.

Yet when Japan approached the Pentagon with a plan to obtain an updated version of the General Dynamics F-16 fighter-bomber, the Japanese refused to consider an "off-the-shelf" purchase of the aircraft. Rather, Japan offered a lopsided deal. Of the \$1.2 billion in development costs, U.S. firms would get at most 40 percent, along with some vague Japanese promises that U.S. companies would get some production subcontracting as well. Putting politics ahead of the trade deficit, the Pentagon approved the plan—to the protests of Congress and the Commerce Department.

Mr. Bush's "clarifications" would seek to firm up the Japanese promises of production contracts. Not half a loaf but maybe 40 percent of a loaf, the White House seems to be saying.

But there is another issue, as Rep. Richard Gephardt of St. Louis points out: "While we can't prevent Japan from building its own aerospace industry, there is no reason we have to subsidize it." Whether the new Bush proposals will prevent that is unclear. That is why Congress must carefully review these changes. If the safeguards promised on technology transfers and new contracts are not tight enough, the deal should fail.

Mr. DIXON. Mr. President, I ask unanimous consent to make a few remarks on another subject in view of the fact no one at this time desires taking the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIXON. Mr. President, the major order of business before us is the minimum wage bill. My understanding of the order of business set by the distinguished leader and others on the leadership team is that tomorrow we will vote on a couple of amendments; essentially, the committee amendment which expresses the point of view of the majority side, calling for a \$4.55 minimum wage and a 60-day training period. I understand that thereafter it will be followed by a vote on an amendment reflecting the administration's point of view which an oversimplification, if I may say, is for a \$4.25 minimum wage with a 6-month training period.

I would just like to say, Mr. President, that I certainly expect to support the position of my side. As majority chief deputy whip, it is my privilege to say that I have supported the effort on this side over the past several years to exact from the Congress and past administrations the necessary support to enact a new minimum wage. I believe it is called for. The

time has passed us when we should have done something, Mr. President.

I said last year in remarks here that I was out in Aurora and Elgin, IL, in Kane County, when we were considering the minimum wage bill. I made a speech in Aurora and traveled over to Elgin. In doing so, I passed a McDonald's hamburger stand, and on the marquee outside the hamburger stand was a help wanted sign offering \$4.35 an hour, a dollar over the minimum wage in not the most urban area of my State, but certainly a distinguished and important urban area of Illinois.

The point that was made clear to me at that time, Mr. President, was that the marketplace has advanced beyond the Congress in dealing with this social need.

I have talked to my distinguished friend, the minority leader, for whom I have the greatest personal admiration and highest personal regard, as well as, for his fine wife, who is the distinguished Secretary of Labor about this issue. I have suggested to the minority leader and to his distinguished wife, who is doing such a fine job as Secretary of Labor, that I wish the two sides could find some accommodation on this. We wasted a year last year. I do not think we do any service for the ordinary folks out there who are on the poverty line and need this additional money by arguing over the small differences remaining between the two sides on this issue.

I began my career as a police magistrate back in Belleville, which is equivalent in these days to the justice of the peace system. We had a method of doing this. We split the difference sometimes. I only want to say to the President and others that maybe others should support this concept. I have met with my colleagues, the leadership on the majority side and the distinguished chairman of the committee, TED KENNEDY, and others, I hasten to add, Mr. President. Seeing the Senator from Massachusetts on the floor, I would like him to know that I was taking an opportunity when the floor was available and my dear friend and colleague, for whom I have the greatest admiration, was present to say I think it is a great disservice to the ordinary folks in this country who are dependent upon this minimum wage to make a hand-to-month living, to have a political fight here. Let us face it, I think the evidence is clear that the majority would fall short on a veto override. We do a disservice to the working men and women in the country to throw up our hands and say, "Well, we couldn't resolve our differences and we fought it out and everybody was in good faith, and we will see you again next year."

I think maybe at some point in time, cooler heads could prevail and seek a resolution to this problem that is not

immediately apparent. I am not necessarily suggesting that you split the difference, but that the difference between 60 days and 6 months and \$4.25 and \$4.55 is not an insurmountable difference that cannot be resolved by people of good will. We have come to more agonizing accommodations on more complicated matters a number of times, and I just hate to see us waste a lot of time again this year, Mr. President, as we did last year. I do not remember how many legislative days we spent, but we spent a lot of time.

It is an issue the country understands. Everybody has their mind made up on it. I have seen the polls. I think the polls overwhelmingly support our point of view, although I would have to first confess I do not know if the people understand those nice distinctions between the two sides. But I think the people want us to raise the minimum wage; and that is people of all types of economic persuasions and different points of views, Republicans and Democrats, and I think that it is time to do it, Mr. President.

So I would urge at some point in time, after we have all run upon the spears and those on this side have voted for the committee bill and those loyal people on the other side have voted to support the administration, that sometime in the coolness and the quiet of some fine afternoon that wise men, and women like the minority leader who I see on this floor, and the majority leader who I greatly esteem, and others might in some quiet, compassionate moment, finding that kinder and gentler nation, solve this very, very difficult problem.

I thank the President. I thank the minority leader, and I thank anybody else who was not bored by it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIXON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF KIRBY SMITH III, LITTLE ROCK, AR

Mr. PRYOR. Mr. President, last week one of the most dedicated individuals to labor in the Democratic Party passed away. Kirby Smith III of Little Rock, AR, was a tireless and devoted supporter of Democratic Party causes and candidates in Arkansas and across the country.

Kirby Smith was appointed by Arkansas Gov. Bill Clinton to serve as legal counsel to the Arkansas Democratic Party. In addition, he served as chairman of the Pulaski County

Democratic Party—the largest county in our State—and was chairman of the Pulaski County Election Commission.

A former president of the Arkansas Young Democrats, Kirby was a prime mover in the National Young Democrats organization and was instrumental in helping two Arkansans attain the presidency of that organization in recent years.

Smith was executive secretary of the Engineers and Land Surveyors' Licensing Board, deputy prosecuting attorney in the Sixth Judicial District, assistant attorney general, and was a former director of tourism for the Arkansas Department of Parks and Tourism.

All of us who knew Kirby would agree that there is no one more deserving of the title "yellow dog Arkansas Democrat." Kirby will be missed for much more than his loyalty to the Democratic Party. He will be missed for being Kirby.

HONORING CARLO GAMBA

Mr. PELL. Mr. President, there has been much focus in Washington on "a thousand points of light." But in Rhode Island, we have one that shines. Today, Carlo Gamba, teacher, principal, and Federal program coordinator, is being honored by the National Association of Federal Program Administrators for his tireless service to education.

I would like to add my voice to the many who have sung his praises over the years and to those who publicly acknowledge his work today. Since 1957, Carlo Gamba has contributed his talents and efforts to the elementary and secondary school students of Rhode Island. He served as a teacher in Coventry for 10 years, an elementary school principal in Foster for 24 years, and an elementary school principal in Cranston for 3 years. During that time he also served as the Federal programs coordinator. In this capacity, he implemented critical Federal programs that secured educational opportunity for disadvantaged students, including programs such as the chapter 1 program of compensatory education for the educationally and economically disadvantaged, the Education for the Handicapped Act, and the Bilingual Education Act.

Mr. Gamba is the product of Rhode Island schools, having graduated from Cranston High School, and Providence College, as well as earning his EDM at Rhode Island College. We are all most fortunate that as the beneficiary of the Rhode Island school system, he has given back to Rhode Island schools. In fact, he has had the considerable distinction of serving as the principal of the elementary school he attended, the Mae Wescott Elementary School.

Carlo Gamba's work goes beyond the routine requirements of the jobs he has held. There was never a time when he said "no" to the needs of schools, teachers, or students. He has remained a stalwart proponent of public schools, and a welcome champion of disadvantaged students. He has lent his talent and energy to the work of schooling, and has done so generously and with great humor—a humor for which he is famous throughout the State.

Although Mr. Gamba retired in 1987, that was an act in name only. For, he continues to be just as involved in the schools today. He currently serves as the Federal program consultant for Central Falls, and is the Congressional District 2 coordinator for the National Bicentennial Competition.

Mr. President, when we speak of school excellence then we speak of Carlo Gamba. And when we seek to improve our schools, what we look for is 16,000 Carlo Gambas nationwide. He is the reason I can be optimistic about the future. For, as long as he and the many others who have devoted their time and talent to the schooling of our children continue their service to education, then our country has the machinery to make our schools ones of excellence and opportunity. I would like to congratulate Mr. Gamba on his award today, and thank him for the considerable influence he has had on the many young lives he has touched.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 3, 1989, the Secretary of the Senate, on April 7, 1989, during the recess of the Senate, received a message from the President of the United States transmitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on April 7, 1989, are printed in today's RECORD at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. REID:

S. 734. A bill to authorize and direct the General Accounting Office to audit the Federal Reserve Board, the Federal Advisory Council, the Federal Open Market Committee, and Federal Banks and their branches; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DASCHLE (for himself and Mr. ROCKEFELLER):

S. 735. A bill to amend title XVIII of the Social Security Act to extend the classification of sole community hospital to certain other hospitals, to make improvements in

payments to such hospitals, and for other purposes; to the Committee on Finance.

By Mr. REID (for himself and Mr. BRYAN):

S. 736. A bill to convey fee title to Pershing County Conservation District certain Federal lands known as the Battle Mountain Community Pastures, in recognition of the fact that the land was initially acquired by the District and subsequently transferred to the United States for the Humboldt River Project; to the Committee on Energy and Natural Resources.

By Mr. WIRTH (for himself and Mr. ARMSTRONG):

S. 737. A bill to authorize the Secretary of the Interior to acquire certain lands adjacent to the boundary of Rocky Mountain National Park in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mr. DeCONCINI:

S. 738. A bill to expand the priority and payment rights of consumers in bankruptcy proceedings involving transportation entities; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DeCONCINI:

S. Res. 98. Resolution to express the sense of the Senate regarding amendments to title 11, United States Code, the Bankruptcy Code; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for himself and Mr. ROCKEFELLER):

S. 735. A bill to amend title XVIII of the Social Security Act to extend the classification of sole community hospital to certain other hospitals, to make improvements in payments to such hospitals, and for other purposes; to the Committee on Finance.

SOLE COMMUNITY HOSPITAL PROTECTION ACT

Mr. DASCHLE. Mr. President, I rise today to introduce the Sole Community Hospital Protection Act of 1989, a bill to strengthen the financial protections offered to our country's most isolated, but vitally important, rural hospitals. The ultimate goal of this measure is to ensure that rural Americans receive the same access to hospital care that their urban counterparts enjoy.

In the midst of the promise and plenty of the U.S. health care system, a system that many claim offers the highest quality care in the world, there are clear trends in rural health care that signal danger. Most notably, our rural hospitals, the core of our rural health care system, are being challenged like never before. In the last 8 years alone, over 160 rural community hospitals across the country have been forced to close their doors, and many more than that—an estimated 600—are currently on the brink of closure.

When hospital care is no longer available in a community, some of our most vulnerable sectors suffer—the elderly, the unemployed, and the chronically ill. And because rural hospitals are often major employers in a town, a hospital closure can have a devastating effect on the local economy.

During a recent rural health care tour that I conducted in South Dakota, I witnessed firsthand the challenges our rural providers face. As I visited rural hospitals all over the State and met with rural hospital administrators and others involved in health care delivery, the same message was affirmed over and over: inadequate Medicare payments have contributed to a serious decline in hospital revenues and the reduction in access to care for rural residents. And because hospitals are the second leading employer in the State, this financial crisis also affects thousands of health care workers.

While many factors have combined to cause the demise of rural hospitals, Medicare's payment system is one of the most obvious and the most amenable to Federal intervention. The fact that Medicare pays rural hospitals from 12 to 40 percent less per procedure than it pays hospitals in urban areas is largely responsible for the fact that more than one-half of small rural hospitals are losing money on patient care. Clearly, the financial health of these already fragile hospitals is in extreme jeopardy.

While many argue it is not necessary to have a hospital at every crossroads in America, most would agree it is essential that everyone have access to at least basic medical services. Sole community hospitals [SCH's] provide this kind of access to basic health care in some of our country's most remote areas.

Recognizing their vital importance to the communities they serve and the fact that the prospective payment system may not be appropriate for these small, low-volume facilities, Congress provided special financial assistance to this group of hospitals. But despite its good intentions, the SCH program is largely viewed as a failure. Over one-half of SCH's had negative profit margins by the third year of PPS, and over 10 percent experience losses on Medicare greater than 37 percent, a record worse than rural hospitals without SCH status. Over 100 hospitals eligible for SCH status simply chose not to accept this designation.

The proposal I am introducing today seeks to reverse this situation by broadening the number of hospitals eligible for SCH status and strengthening the protections offered to these important rural providers. First, my bill would lower the number of miles required between hospitals to qualify for SCH status. Decreasing the mile-

age criterion increases access to medical care for the elderly and poor who are less mobile and tend to suffer higher incidence of chronic illnesses requiring hospital-based care.

Second, my bill would reimburse hospitals for a percentage of their Medicare losses on a sliding scale based on their patient volume. Hospitals with the lowest volume would receive more financial assistance than higher volume hospitals. This measure recognizes that SCH's have high fixed costs because they provide a diverse range of services and are thus more sensitive to low volume and the resulting higher costs per case. However, by requiring SCH's to share in the cost of their losses, this proposal retains incentives for SCH's to operate efficiently.

Finally, my bill would extend current law protection from capital payment reductions to all hospitals eligible for SCH status, regardless of whether they accept the SCH designation. Currently, only hospitals that accept the SCH designation are eligible for this protection. This measure will eliminate the arbitrary penalization of hospitals that qualify for SCH status but do not choose to accept this designation for payment purposes.

Americans expect and deserve the best health care system in the world. But without a firm national commitment to adequate assistance for all health care facilities, rural health care will never match the quality and access found in urban areas.

It is time that the Federal Government offer its citizens in rural America a helping hand. I urge my colleagues in the Senate to support this measure to ensure the financial health of our Nation's most vulnerable rural hospitals.

By Mr. REID (for himself and Mr. BRYAN):

S. 736. A bill to convey fee title to Pershing County Water Conservation District, certain Federal lands known as the Battle Mountain Community Pastures, in recognition of the fact that the land was initially acquired by the district and subsequently transferred to the United States for the Humboldt River project; to the Committee on Energy and Natural Resources.

BATTLE MOUNTAIN PASTURE RESTORATION ACT OF 1989

● Mr. REID. Mr. President, in 1934 the U.S. Bureau of Reclamation started work on what we now know as the Rye Patch Dam project on the Humboldt River.

In the process of developing this important water resource project, several ranches were purchased from private lands to obtain the land and water rights needed for the construction of irrigation works and acquisition of

water. In addition to the purchase and acquisition of water rights, the acreage of two ranches were purchased (about 30,000 acres).

The Pershing County Water Conservation District of Nevada was consequently formed prior to the approval and authorization of the project, to manage the project and be responsible for the repayment obligation according to reclamation law.

Therefore, the title for the above mentioned lands, water rights and Rye Patch Dam are now held in the name of the United States. It has always been understood by all interested parties that title would continue in the name of the United States until repayment for the project was completed.

In the past there has been little particular concern by the Water Conservation District about acquiring title to the lands in question because they were always told by the Bureau of Reclamation that they could obtain ownership (title), to the lands once the obligations for repayment were made.

Mr. President, the Pershing County Water Conservation District completed the water transfers required by the State of Nevada, with the Nevada State Engineers Office in 1956. They completed the repayment to the U.S. Government in 1978. The title to the lands and water rights both still remain in the name of the United States.

Because the conveying of title to the Pershing County Water Conservation District for the lands referred to in this proposed legislation requires special consideration, I am proposing today to introduce legislation that will convey title of the lands referred to as the Battle Mountain Pastures, paid for by the citizens of the Water Conservation District, to the district to be used as community pasture lands. This will ensure a vital economic stability for the ranchers and livestock operations in the Lovelock Valley, who are depending on this land for summer grazing and allow them to have a livestock operation which would otherwise be impossible.

Thank you, Mr. President, and I ask unanimous consent that the complete text of the bill be printed in the RECORD as though read.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be known as the "Battle Mountain Pasture Restoration Act of 1989".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS. The Congress finds that—

(1) the Humboldt Project is a land reclamation and irrigation project created pursuant to the Act of Congress of June 16, 1934, (48 Stat 195), and June 17, 1902 (32 Stat 388), and is an irrigation dam project known as

Rye Patch Dam located in Pershing County, Nevada;

(2) the Pershing County Water Conservation District, a quasi-political subdivision of the State of Nevada, entered into contracts in 1934 to purchase all of the lands comprising the Battle Mountain Community Pasture, consisting of approximately twenty-nine thousands eight hundred and eighty-four acres of land, and water rights appurtenant thereto in Lander County, Nevada, consisting of a consolidation of two ranches known as the Filipini Ranch and the Aldous Ranch;

(3) the Pershing County Water Conservation District transferred all of the water rights appurtenant to the Filipini and Aldous Ranches to the Humboldt Project to provide water to make the construction of Rye Patch Dam feasible;

(4) the legislation authorizing the construction of the Humboldt Project provided that title to the Filipini Ranch and Aldous Ranch was to lie with the United States until further Act of Congress;

(5) the Pershing County Water Conservation District assigned its purchase contracts of the Filipini Ranch and the Aldous Ranch comprising the community pasture to the United States in 1934, and in 1936 conveyed the water rights to the United States as required under the terms of the Humboldt Project to make the construction of Rye Patch Dam feasible;

(6) a repayment contract was entered into with the United States Department of the Interior, Bureau of Reclamation, on October 1, 1934, to provide the funds necessary for the construction Rye Patch Dam and Reservoir, and to ensure the repayment to the United States of all costs of construction and operation of the Humboldt Project;

(7) the Pershing County Water Conservation District water users have completely repaid the United States all of the cost of the Humboldt Project, including the cost of the purchase of the Aldous and Filipini Ranches, known as the Battle Mountain Community Pasture;

(8) the Pershing County Water Conservation District has paid real estate taxes on the Battle Mountain Community Pasture for many years;

(9) the Battle Mountain Community Pasture continues to be required by the Pershing County Water Conservation District to ensure that the waters of the Humboldt River pass through the pasture, and are not diverted or diminished, in accordance with the terms of the transfer of the water rights as provided by the State of Nevada;

(10) the Pershing County Water Conservation District has an immediate and continuing need for the Battle Mountain Community Pasture; and

(11) the purpose of this Act is to convey to the Pershing County Water Conservation District free title to the Battle Mountain Community Pasture in recognition of the fact that it was initially acquired by the Pershing County Water Conservation District, and subsequently transferred to the United States for the Humboldt Project, until further Act of Congress and the full repayment of the construction and acquisition costs of the Humboldt Project to the United States.

SEC. 3. CONVEYANCE.

The Secretary of the Interior shall convey, subject to all existing right and interests of third parties upon, in, and over the property, and upon payment of administrative costs incurred in making the transfer, not to exceed \$20,000, to the Pershing

County Water Conservation District, all right, title, and interest of the United States in and to the land described in section 4 of this Act.

SEC. 4. DESCRIPTION.

The land referred to in section 3 of this Act is described as follows: Portions of those parcels of land described in the warranty deed between Charles S. Aldous, et ux., and the United States dated January 17, 1935, and in the warranty deed between Filipini Ranching Company and the United States dated January 26, 1935, said lands being in the County of Lander, State of Nevada, and described as follows:

MOUNT DIABLO MERIDIAN

Township 32 North, Range 44 East
Section 1.

Township 32 North, Range 45 East

Sections 3 to 6, inclusive, sections 10 to 14, inclusive, and sections 22 to 24, inclusive; all of section 7, excepting therefrom portions of lots 3 and 4, and southwest quarter more fully described by metes and bounds as follows:

Beginning at the intersection of the centerline of the westbound lane of Interstate Route 80, Project I-080-3(12)229, and the west boundary of section 7, at highway engineer's station "Bw" 241 plus 36.69 P.O.C., said point of beginning further described as bearing south 0 degrees 02 minutes 18 seconds west, a distance of 1,571.26 feet from the west quarter corner of section 7; thence north 0 degrees 02 minutes 18 seconds east, along west boundary of section 7, a distance of 379.00 feet to a point; thence south 34 degrees 02 minutes 55 seconds east, a distance of 754.84 feet to a point; thence from a tangent which bears the last described course, curving to the left with a radius of 1,500 feet, through an angle of 34 degrees 06 minutes 42 seconds, an arc distance of 893.04 feet to a point; thence south 68 degrees 09 minutes 37 seconds east, a distance of 731.06 feet to an intersection with the south boundary of section 7; thence south 89 degrees 58 minutes 33 seconds west, along said south boundary, a distance of 1,787.00 feet to the southwest corner of section 7; thence north 0 degrees 02 minutes 18 seconds east, along the west boundary of section 7, a distance of 1,071.65 feet to the point of beginning, said parcel contains an area of 20.91 acres, more or less.

Also excepting therefrom the southeast quarter of section 7. Also excepting therefrom, a strip of land having a uniform width of 30 feet, where measurable at right angles lying within 15 feet on each side of the following described centerline:

Beginning at a point in the south boundary of the northeast quarter of section 7, west, 660.0 feet distant from the east quarter corner of section 7; thence north, 513.0 feet to a point on the south bank of the Reese River, that is south 17 degrees 16 minutes west, 2,223.2 feet distant from the northeast corner of section 7, the sideline boundaries of said strip of land are to be lengthened or shortened as the case may be, so as to begin in the south boundary of the northeast quarter of section 7, and terminate on the south bank of the Reese River, said parcel contains an area of 0.35 acre, more or less.

Section 8, west half;

Section 9, northeast quarter;

Section 15, all that portion lying south of the old channel of the Humboldt River, and containing 340 acres, more or less;

Section 17, southeast quarter, except that portion thereof conveyed to C.W. Burge (deed recorded in Book 52 of Deeds, page 476, records of said Lander County) described as follows:

Beginning at a corner point numbered 1, on the east boundary of section 17, north, 1,015 feet distant from the southeast corner of section 17. Thence north (on section line), 1,625 feet to east quarter corner, section 17. Thence, same course, 1,525 feet to northeast corner numbered 2. Thence south 43 degrees 56 minutes west, 2,019 feet to west angle corner (along wagon road). Thence south 39 degrees 33 minutes east, 2,200 feet to corner numbered 1, place of beginning, containing 50.65 acres.

Section 18, northeast quarter northeast quarter, excepting therefrom, a strip of land having a uniform width of 30 feet, where measurable at right angles lying within 15 feet on each side of the following described centerline:

Beginning at a point in the east boundary of section 18, south, 1,127.9 feet distant from the northeast corner of section 18; thence entering section 18, north 30 degrees 20 minutes west, 1,306.8 feet to a point in the north boundary of section 18, west, 660.0 feet distant from northeast corner of section 18, the sideline boundaries of said strip of land are to be lengthened or shortened, as the case may be, so as to begin in the east boundary, and terminate in the north boundary of section 18, said parcel contains an area of 0.90 acre, more or less.

Section 26, north half north half, and south half northeast quarter.

Township 32 North, Range 46 East

Sections 7 to 11, inclusive, sections 15 to 18, inclusive, and section 20;

Section 1, south half;

Section 2, south half;

Section 3, south $\frac{3}{4}$ of south half, containing 168 acres;

Section 4, south $\frac{3}{4}$ of south half, containing 168 acres; also in section 4 all that portion of that tract of land containing 39.5 acres deeded on December 13, 1989, by J.H. Crum, and others to James Faris (deed recorded at page 151, in Book 49 of Deeds, records of said Lander County), which is not included in that certain parcel or tract of land deeded May 22, 1903, by James Faris and Annie Faris, to Southern Pacific Company (deed recorded at page 770, in Book 49 of Deeds, records of said Lander County); section 5, south $\frac{3}{4}$ of south half, containing 265 acres; section 6, south half south half, north half southeast quarter, and north half southwest quarter (undivided one-half interest);

Section 12, north half;

Section 14, northwest quarter;

Section 19, north half;

Section 21, north half;

Section 22, north half northwest quarter, northwest quarter southwest quarter, and southwest quarter northwest quarter.

Township 32 North, Range 47 East

Section 6, north half south half.

Township 33 North, Range 44 East

Section 12, southeast quarter northeast quarter.

Township 33 North, Range 45 East

Sections 5 to 8, inclusive, sections 17 to 21, inclusive, and sections 28 to 33, inclusive;

Section 9, southwest quarter;

Section 27, southwest quarter;

Section 34, north half northeast quarter, and south half;

Section 35, southwest quarter.

Township 34 North, Range 44 East

Section 36, southwest quarter southeast quarter, and southwest quarter southwest quarter.

By Mr. DECONCINI:

S. 738. A bill to expand the priority and payment rights of consumers in bankruptcy proceedings involving transportation entities; to the Committee on the Judiciary.

CONSUMER TICKET PURCHASER PROTECTION ACT OF 1989

● Mr. DECONCINI. Mr. President, I rise today to introduce legislation to amend title 11, section 507(a) of the Bankruptcy Code, to give priority to consumer ticket purchasers when a transportation carrier files for bankruptcy.

This bill is needed to protect the average consumer ticket purchaser who becomes an unwitting and involuntary creditor of an airline or other transportation carrier who files for bankruptcy protection. All too often, as we have seen again recently, the Bankruptcy Code has been used by airline companies to avoid obligations to thousands of consumers who hold millions of dollars in prepaid tickets.

When an airline uses the Bankruptcy Code in this way, hard earned vacation dollars are lost, dreams are destroyed and business and other travel plans are disrupted. The estimated value of outstanding tickets already sold at the time of the recent Eastern bankruptcy filing is \$200 million. Eastern provided transportation to approximately 100,000 people per day prior to the strike and bankruptcy proceedings. On 1 day in Miami alone, 2,200 cruise ship passengers were stranded in their attempt to return home because Eastern was operating only 15 aircraft that day.

This legislation would amend the Bankruptcy Code to provide consumer ticket purchasers with relief when transportation carriers seek to use the shield of title 11 bankruptcy protection. It will prevent these companies from using title 11 to destroy the right of purchasers to compensation for the lost value of their tickets. The bill will accomplish this purpose by placing consumer ticket purchasers third in the Bankruptcy Code's system of ranking priorities. Title 11, section 507, provides first priority for administrative expenses, and second priority for unsecured claims allowed under section 502(f); the so-called involuntary gap creditors, who were unaware of the involuntary filing and who are treated as though they were creditors prior to the 30 day filing period. Under this legislation, consumer ticket purchasers will be placed third in priority. Purchasers will be entitled to up to \$900 in compensation per individual for tickets purchased for their personal or family use.

A maximum of \$900 compensation is reasonable in light of the wide price

range of airline tickets available these days. Tickets can cost as little as \$19 or as much as \$2,000. While a \$900 ceiling may not compensate consumers for every dollar they have lost, this bill does provide them with the priority in the bankruptcy ranking that they deserve, and it will give them some assurance that at least this amount of their investment will be returned to them.

Without the passage of this bill, consumer ticket purchasers have not been, and may never be, repaid for their purchases. They are families and business people who, due to the abuse of the bankruptcy laws by commercial air carriers, have become unwilling creditors in the airline companies' game of takeover and restructure. This legislation will send a clear message to these citizens that the Senate will not sit idly by while these companies hide behind bankruptcy laws and consumers are left holding the bag. I urge speedy passage of this bill, and I ask unanimous consent that the text of the Consumer Ticket Purchaser Protection Act of 1989 be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 738

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Consumer Ticket Purchaser Protection Act of 1989".

Sec. 2. Section 507(a) of title 11, United States Code, is amended by—

(1) striking out "(7) Seventh" and inserting in lieu thereof "(8) Eighth";

(2) striking out "(6) Sixth" and inserting in lieu thereof "(7) Seventh, other than claims provided for in paragraph (3);";

(3) striking out "(5) Fifth" and inserting in lieu thereof "(6) Sixth";

(4) striking out "(4) Fourth" and inserting in lieu thereof "(5) Fifth";

(5) striking out "(3) Third" and inserting in lieu thereof "(4) Fourth"; and

(6) inserting between paragraph (2) and paragraph (4), as redesignated herein, the following:

"(3) Third, allowed unsecured claims of individuals, to the extent of \$900.00 for each such individual, and arising from the deposit or payment, before the commencement of the case, of money in connection with the purchase of travel or transportation from a transportation carrier for the personal or family use of such individuals, where such transportation was to be provided following the filing of the petition under this title."

Sec. 3. (a) Subchapter III of chapter 11 of title 11, United States Code, is amended by adding at the end thereof the following:

§ 1147. Repayment.

"Upon the motion of the United States trustee or any party in interest, the court may, after notice and hearing, provide for the immediate repayment to any creditor with an allowable claim entitled to priority under section 507(a)(3) of this title. The court shall establish a bar date and shall establish the terms and conditions for immediate payment by which the trustee shall

have effected payment to those creditors entitled to such priority."

(b) The table of sections for chapter 11 of title 11, United States Code, is amended in subchapter III by adding at the end thereof the following new item:

"1147. Repayment."

Sec. 4. Section 101 of title 11, United States Code, is amended by—

(1) redesignating paragraphs (32) and (33) and any reference to such paragraphs as paragraphs (33) and (34), respectively;

(2) redesignating paragraph (52) and any reference to such paragraph as paragraph (32) and inserting such paragraph between paragraph (31) and paragraph (33), as redesignated herein;

(3) striking out the semicolon at the end of paragraph (51) and inserting in lieu thereof a period;

(4) redesignating paragraph (51) and any reference to such paragraph, as paragraph (54);

(5) redesignating paragraphs (34) through (50) and any reference to such paragraphs as paragraphs (36) through (52), respectively;

(6) striking out the period at the end of paragraph (53) and inserting in lieu thereof a semicolon;

(7) redesignating paragraph (53) and any reference to such paragraph as paragraph (35) and inserting such paragraph between paragraph (34) and paragraph (36), as redesignated herein; and

(8) inserting between paragraph (52) and paragraph (54), as redesignated herein, the following:

"(53) 'transportation carrier' means any airline, railway, steamship entity or motor carrier engaged in the transportation of individuals in commerce where tickets, vouchers, 'electronic transfers' or other documents are used to evidence the purchase of such transportation; and".

ADDITIONAL COSPONSORS

S. 89

At the request of Mr. SYMMS, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 89, a bill to delay for 1 year the effective date for section 89 of the Internal Revenue Code of 1986.

S. 100

At the request of Mr. ROCKEFELLER, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 100, a bill to amend title XVIII of the Social Security Act with respect to coverage of, and payment for, services of psychologists under part B of Medicare.

S. 272

At the request of Mr. LEAHY, the name of the Senator from Arizona [Mr. DeCONCINI] was added as a cosponsor of S. 272, a bill to eliminate the exemption for Congress from the application of certain provisions of Federal law relating to employment, and for other purposes.

S. 302

At the request of Mr. PRYOR, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 302, a bill to amend title 39, United States Code, with respect to

the budgetary treatment of the Postal Service, and for other purposes.

S. 401

At the request of Mr. HOLLINGS, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 401, a bill to exclude the Social Security trust funds from the deficit calculation and to extend the target date for Gramm-Rudman-Hollings until fiscal year 1995.

S. 565

At the request of Mr. CRANSTON, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from Arkansas [Mr. PRYOR], the Senator from Hawaii [Mr. INOUE], the Senator from Hawaii [Mr. MATSUNAGA], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 565, a bill to authorize a new corporation to support State and local strategies for achieving more affordable housing; to increase home ownership; and for other purposes.

S. 566

At the request of Mr. CRANSTON, the names of the Senator from South Dakota [Mr. DASCHLE], the Senator from Arkansas [Mr. PRYOR], the Senator from Hawaii [Mr. INOUE], the Senator from Hawaii [Mr. MATSUNAGA], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 566, a bill to authorize a new corporation to support State and local strategies for achieving more affordable housing; to increase home ownership; and for other purposes.

S. 625

At the request of Mr. NICKLES, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 625, a bill to eliminate artificial distortions in the natural gas marketplace, to promote competition in the natural gas industry and for other purposes.

SENATE JOINT RESOLUTION 91

At the request of Mr. ROCKEFELLER, the names of the Senator from Alabama [Mr. SHELBY], the Senator from California [Mr. WILSON], the Senator from Arkansas [Mr. PRYOR], the Senator from Hawaii [Mr. MATSUNAGA], the Senator from Nebraska [Mr. EXON], and the Senator from Arizona [Mr. McCAIN], were added as cosponsors of Senate Joint Resolution 91, a joint resolution designating April 28, 1989, as "Flight Attendant Safety Professionals' Day."

SENATE CONCURRENT RESOLUTION 10

At the request of Mr. SIMON, the name of the Senator from Wisconsin [Mr. KOHL] was withdrawn as a cosponsor of Senate Concurrent Resolution 10, a concurrent resolution to express the sense of the Congress with respect to continuing reductions in the Medicare Program.

SENATE CONCURRENT RESOLUTION 18

At the request of Mr. ROTH, the names of the Senator from Oklahoma

[Mr. BOREN] and the Senator from Alabama [Mr. HEFLIN] were added as cosponsors of Senate Concurrent Resolution 18, a concurrent resolution expressing the sense of Congress that Federal laws regarding the taxation of State and local government bonds should not be changed in order to increase Federal revenues.

SENATE RESOLUTION 92

At the request of Mr. SYMMS, the names of the Senator from Montana [Mr. BURNS] and the Senator from Washington [Mr. GORTON] were added as cosponsors of Senate Resolution 92, a resolution expressing the sense of the Senate regarding section 89 of the Internal Revenue Code of 1986.

SENATE RESOLUTION 98—REGARDING AMENDMENTS TO THE BANKRUPTCY CODE

Mr. DeCONCINI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 98

Whereas the purpose of title 11 of the United States Code, known as the Bankruptcy Code, is to provide a structured judicial setting within which the legal rights of creditors and debtors can be resolved that will (1) permit debtors to resolve their financial difficulties in an equitable fashion, and (2) protect the interests of creditors;

Whereas chapter 11 of the Bankruptcy Code, which encourages the reorganization and not the liquidation of financially troubled companies, was designed to allow companies to recognize their debts and to repay their creditors in a way that enables the company to regain the financial stability necessary to once again become an ongoing concern;

Whereas legitimate concerns have been raised regarding abuses of the Code in recent bankruptcy filings in which financial insolvency was not the principal factor;

Whereas a number of companies, including Eastern Airlines, which have resources to maintain operation have recently filed bankruptcy petitions, the primary effect of which is to abrogate obligations to consumers and to avoid other obligations; and

Whereas recent bankruptcy filings have been conducted in ways which have greatly inconvenienced the public and which have left consumers and others with millions of dollars in unsatisfied claims: Now, therefore, be it

Resolved, That it is the sense of the Senate that title 11 of the United States Code, the United States Bankruptcy Code, has been and continues to be used for purposes for which it was not intended and that the Congress should act immediately to enact legislation to remedy defects in the Bankruptcy Code that have encouraged such abuses of the law.

● Mr. DeCONCINI. Mr. President, I rise today to introduce a resolution to express the sense of the Senate that the United States Bankruptcy Code has been used and continues to be used for purposes for which it was not intended. This resolution calls upon Congress to remedy defects in chapter

11 of the code that have encouraged abuses of the law.

The purpose of the Bankruptcy Code is to encourage the reorganization, and not the liquidation, of financially troubled organizations. Chapter 11 of the code was designed to allow companies to reorganize their debts and to repay their customers in a way that enables the company to regain its financial stability. It was not intended to permit companies to abrogate obligations to consumers or avoid other obligations.

The recent filing for bankruptcy by Eastern Air Lines, Inc., underscores the need for action on the part of Congress. I am concerned that in this and similar bankruptcy cases, financial insolvency was not the principal factor in the filing. Instead, companies have used the bankruptcy laws to renege on legally negotiated collective bargaining agreements and disregard obligations to thousands of consumers who hold millions of dollars in prepaid tickets.

These consumers have not been, and may never be, repaid for their purchases. They are families and business people who unwillingly and unknowingly have become the creditors of Eastern Air Lines. This resolution gives notice that the Senate will not sit idly by while debtors hide behind bankruptcy laws and consumers are left holding the bag.

Although Eastern's filing has brought to light the need to tighten the Bankruptcy Code, this is the 78th, not the first, airline bankruptcy since 1979. I hope you will join me in supporting this resolution which is necessary to protect the consumers, creditors, and workers affected by such bankruptcies.●

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for the public that hearings have been scheduled before the Committee on Energy and Natural Resources.

The hearings will take place on June 1 and 2, 1989, in room SD-106 of the Senate Dirksen Office Building in Washington, DC. There will be a 9:30 a.m. session and a 2 p.m. session on each day.

The purpose of the hearing is to receive testimony concerning S. 710, S. 711, and S. 712, legislation to provide for a referendum on the political status of Puerto Rico.

For further information, please contact Pat Temple at (202) 224-4756. For press inquiries, contact Claire Miller at (202) 224-0091.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will

culture, Nutrition, and Forestry will hold a hearing on Wednesday, April 19, 1989, at 10 a.m., in SR-332 to receive testimony from the administration in preparation for the 1990 farm bill.

For further information, please contact Bob Young of the committee staff at 224-2035.

ADDITIONAL STATEMENTS

TERRY ANDERSON

● Mr. MOYNIHAN. Mr. President, today marks the 1,486th day of captivity for Terry Anderson in Beirut.

I ask that an editorial dated March 19, 1989, from the New York Daily News be printed in the RECORD.

The editorial follows:

FIVE YEARS AND COUNTING

Terry Anderson, the Associated Press Beirut correspondent kidnapped by Iranian-backed, religious fanatics, has just entered his fifth year as a hostage. That's longer than any of the other 15 foreign hostages now in Lebanon.

U.S. policy is not to negotiate with terrorists—at least not publicly. Anything the government can do to help almost certainly must be stealthy. Bright minds in the State Department must go on working on an answer.

At the beginning of this year, Peggy Say—Anderson's sister and his most vocal advocate—believed her brother was close to being released. The dust had just settled from the Iraq-Iran war and the Ayatollah appeared to be making overtures to the West. Those hopes were dashed when the Moslem world went off the deep end over "The Satanic Verses."

Rev. Lawrence M. Jenco, who shared a cell with Anderson said at a Buffalo church service the other day, "Terry's only refuge was prayer and the hope that his countrymen will not forget him." Pray for him. And don't forget.●

FUTURE OF CATHOLICISM IN HONG KONG AND CHINA

● Mr. BOSCHWITZ. Mr. President, the distinguished businessman Eric Hotung has some serious concerns about the future of Catholicism in Hong Kong and China. Mr. Hotung is the founder and chairman of the Hotung Institute for International Studies, an international nonprofit organization dedicated to strengthening relations between the United States and China. He is also actively involved in the Center for Strategic and International Studies and the Woodrow Wilson Center. As one committed to religious freedom, I would like to insert into the RECORD Mr. Hotung's editorial entitled "Religion and Business in China," which outlines some of important issues facing the Catholics in Hong Kong and China.

The editorial follows:

(From the Journal of Commerce, Mar. 29, 1989)

RELIGION AND BUSINESS IN CHINA

(By Eric Hotung)

As 1997 approaches and the future of Hong Kong becomes a matter of anxious uncertainty, Beijing has an unusual opportunity to make an imaginative move in its relations with the Roman Catholic Church.

At no cost to itself, China would reap a rich international harvest, both diplomatically and economically.

At the core of the problem is the existing anomaly: Catholicism is a freely practiced religion in Hong Kong but hindered in China. The 270,000 Catholics in Hong Kong—an economically significant minority—are free to practice their religion, but their 3 million brethren in China must be members of the government sanctioned Chinese Patriotic Association, or else go "underground."

This situation arose in 1957 when the Roman Catholic Church was superseded by the Patriotic Association through gradual integration and lost its powers to appoint its own bishops. This split the church.

The Chinese authorities deserve some credit for turning a blind eye to many of the activities of the "underground" Catholics, but the authorities cannot be fully trusted. Catholics can be found in Chinese "re-education" camps, which actually are labor camps.

Bishop Ignatius Kung, in the United States for medical reasons, has not been cleared of charges against him for opposing land reform and the Korean War. To fellow Catholics in Hong Kong contemplating their own future, this is disturbing.

The confusion over the proposed meeting between Louis Jun, the Patriotic Bishop of Shanghai and His Holiness the Pope, which did not materialize, is regarded as a snub by the Patriotic Association.

If the churchmen of Rome are still smarting over the expropriation of Chinese lands that originally belonged to the Roman Catholic missionary orders (and that erroneously were perceived by the Patriotic Association as belonging to the Vatican), then their vision is clouded. The Roman Catholic Church suffered a far greater loss in 16th century England when the Christian world first split into two camps.

The Protestants' seizure of Catholic real estate in England is one of the great thefts of history, but subsequent events show that church and state can co-exist to their mutual benefits. Despite years of persecution, the two religions in England now live in harmony. Is it inconceivable that this could happen between China and the Vatican's 800,000,000 Catholics?

It is archaic for the Vatican to assume that Mother Church can wait forever to renew ties with China. For instance, formal relations between the United States and the Vatican only commenced in January of 1984. The clock cannot be turned back and foot-dragging can only frustrate the church's aims and lead to untold hardships for individual Catholics inside China.

A simple solution is possible: the appointment of special envoys or charges d'affaires approved by both sides to meet in Rome and Beijing and finally resolve their differences. This would underscore the oft-repeated promise of China that there is but one China. This would be a logical premise if a charges d'affaires is permitted to remain in Taiwan.

Other charges d'affaires can be established in key districts of China, with an ambassador in Beijing. China would take the momentous step of permitting freedom of worship for its Roman Catholics, with the Pope as their spiritual head.

While China understandably resents interference and meddling in its internal affairs, such a move would be clear proof to the rest of the world of China's sensitivity to its human problems. China would earn the instant goodwill of Catholic countries.

Such goodwill could be expected from the United States, China's most important trading partner, where religious freedom is constitutionally guaranteed. The United States is not a Catholic country, but it has an increasingly dominant Catholic population.

In the context of Hong Kong and 1997, China would harvest rich gains by allowing open worship. We are given to understand that after July 1997, the Catholics in Hong Kong will continue to enjoy freedom of worship. But after considering the plight of Catholics in China, and remembering that the Roman Catholic Church is not free there, it raises questions whether Catholicism in Hong Kong in time also would be absorbed into the Patriotic Association.

Faced with the prospect of a less-than-euphoric future, the Hong Kong Catholic is not without alternatives. One of the easiest choices is to join the growing exodus from the territory.

Certain countries, notably Australia and Canada, have relaxed their immigration laws for Hong Kong residents. Some Catholic countries may take similar measures and set special quotas for the 270,000 Catholics.

This is not to China's—or Hong Kong's—advantage. No economic body thrives when it suffers such a brain drain and Hong Kong, at this crucial time, must count its people as its most precious resource. ●

TAIWAN TRADE RELATIONS

● Mr. DASCHLE. Mr. President, the Republic of China on Taiwan has been an important trading partner for the United States for some time. In 1988, Taiwan was our fifth largest trading partner, and we consistently have been her most important market.

This growing trade relationship has been a major factor in Taiwan's successful economic development. Acknowledging this, Mr. Vincent C. Siew, the vice chairman of Taiwan's Council for Economic Planning and Development, has emphasized the great importance Taiwan places on trade and economic ties with the United States, stating that the Republic of China is "determined to do everything we can to ensure that those ties continue to develop in a harmonious and mutually beneficial manner."

Using figures compiled by the Department of Commerce, our unfavorable balance of trade with Taiwan decreased by 25.6 percent from 1987 to 1988. This decline was primarily attributable to a 63.7-percent increase in United States exports to Taiwan and a 0.6-percent reduction in imports from Taiwan.

Nevertheless, the magnitude of Taiwan's trade surplus with the United States is still unsatisfactory. It is my

sincere hope that the trade deficit between our two countries be reduced, and ultimately eliminated, soon. Taiwanese officials are aware of how critical the trade deficit is to their country's relationship with the United States, and I believe they are sincere in seeking a solution to this problem. Taiwan's persistent trade surpluses with the United States have had repercussions that threaten its long-term economic health and stability.

For Taiwan, the trade surpluses have meant a net outflow of domestic resources that are badly needed as development resources. The surpluses have also created a large accumulation of foreign currency reserves and rapid growth in the country's money supply. Substantial excess liquidity has placed strong upward pressures on prices that, in turn, have favored speculative rather than productive investment. Finally, the surpluses have prompted significant appreciation of Taiwan's currency, that has affected the competitiveness of its exports, especially those involving labor intensive industries.

Since 1984, Taiwan has forged ahead with economic liberalization and internationalization in the hope of providing a solution to the trade imbalance. Now, sweeping reforms are being implemented in such areas as finance, government fiscal operations, industry, and trade.

Although these efforts were beginning to produce results as suggested by the 1988 decrease in the trade imbalance, last November Taiwan announced its "Action Plan for Strengthening Economic and Trade Ties with the United States." The plan is aimed at achieving further reduction in the trade imbalance by stimulating Taiwan's domestic demand and increasing imports from the United States. Among the features of the plan are: increased public investment spending; tariff reductions on a broad range of imported consumer goods; and improved credit availability for consumer durables. I ask that the "Detailed Action Plan for Strengthening Economic and Trade Ties With the United States" be printed in the RECORD at the end of my remarks.

Mr. President, I urge my colleagues to read and study the action plan that Taiwan has laid out if they have not had an opportunity to do so already. In my view, it is a bold step to address the imbalance of trade between our countries that, in the long run, adversely affects us both. The action plan demonstrates the importance the ROC places on helping to maintain international economic prosperity by coordinating its economic and trade policies and those of the United States and other trading partners.

The success of the Taiwan initiative will be affected by the degree of support and cooperation the United

States lends to the plans for strengthening trade ties. Of particular importance is that the U.S. business community take full advantage of new trade opportunities expected from the ROC's economic liberalization.

The plan follows:

DETAILED ACTION PLAN FOR STRENGTHENING ECONOMIC AND TRADE TIES WITH THE UNITED STATES

(Council for Economic Planning and Development, Executive Yuan, Republic of China, March 1989)

1. Background for this Plan

In view of the new directions and emphasis in the formulation of United States trade policy as articulated in the Omnibus Trade and Competitiveness Act of the United States, the Executive Yuan of the Republic of China has promulgated a plan entitled "The Action Plan for Strengthening the Economic and Trade Ties with the United States" (the "Plan"). This document is prepared to set forth in greater detail various initiatives which the Republic of China will put into force for the implementation of the Plan.

2. Objectives of the Plan

To endeavour to balance our trade with the United States, this Government will pursue the following actions:

A. To take effective measures to expand domestic demand and increase imports in order to reduce our trade surplus with the United States. We aim to increase domestic demand's share of the GNP level to 93.7 percent by 1992. (In 1988, this level of GNP was 86.3 percent). It is also our aim to reduce our total trade surplus to 4 percent of our GNP by 1992. (In 1988, this surplus represented 10 percent of our GNP). As to our trade with the United States, our goal is to reduce our trade surplus by 10 percent annually.

B. To expedite market diversification and reduce our dependency on exports to the United States. We will endeavour to reduce by 1992 the volume of our exports to the United States to about one-third of the total volume of all of our exports.

C. To implement the policy to liberalize and internationalize our economy and trade, and to set up an implementation schedule to be followed by government ministries and agencies concerned, thereby ensuring that the public and the private sectors will pursue such policy and make necessary adjustments in an orderly manner, thus reducing trade-related conflicts between the United States and the Republic of China.

D. To seek comprehensive solutions to bilateral trade problems with the United States rather than piecemeal resolution of individual difficulties, based on the overall close economic and trade relations between the United States and the Republic of China.

ESSENTIAL POINTS FOR THE PLAN

I. Increase of Imports From the United States to Reduce ROC Trade Surplus With the United States

A. Schedule for Expedited Economic Liberalization

The Republic of China will reduce import tariffs on certain items which United States producers enjoy competitive edge or which are of concern to the United States. By 1992, the average effective duty rate will be reduced to 3.50 percent from the rate of 5.66 percent which prevailed in 1988. The aver-

age nominal duty rate will be reduced to 7.00 percent from 12.60 percent. Tariffs on agricultural products will fall to 19.82 percent and tariffs on industrial products brought down to 5.02 percent. (See Appendix)

In implementing these reductions, this Government will take into account specific concerns of the United States Government.

B. Relaxation or Removal of Rules Regulating or Restricting Imports

The Republic of China will, on an annual basis, review and endeavour to liberalize restrictions on certain industrial imports which were previously subject to import restrictions. We will continue to review the proposal that we liberalize importation to our country of agricultural products.

In addition to these measures, alleged unfair trading measures and nontariff obstacles reported by the United States will be investigated and, where appropriate, remedied.

Importation procedures will be simplified and categories of license-exempt imports increased. This Government will soon introduce a simplified import procedure by establishing a "Negative List" under which only those items specified in the Negative List promulgated by our Government are required to obtain import licenses for importation to the Republic of China.

C. Gradual Opening of ROC Domestic Market for the Service Industry

1. Transportation

a. Aviation

The Ministry of Communications has agreed in principle that air cargo terminals may be established outside of the airports. New rules giving effect to the above will be promulgated in August 1989 and thereafter applications for the establishment of such terminals will be entertained.

b. Inland Transportation

The Ministry of Communications has agreed in principle to introduce amendments to existing regulations so that United States shipping companies may apply for licenses to use truck trailers. Such amendments are expected to be completed before the end of April, 1989.

We understand that United States shipping companies are interested in operating the business of trucking. Currently, Article 35 of the Highway Act prohibits foreigners from investing in the vehicle transportation business. The Ministry of Communications will introduce amendments to this statute to permit foreigners to engage in the business of trucking, which amendments will be submitted to the Legislative Yuan for consideration and enactment.

2. Banking

Amendments to the Bank Act, permitting Republic of China branches of foreign banks to take savings deposits, have been submitted to the Legislative Yuan. When these amendments become the law, the Ministry of Finance will revise the "Regulations Governing the Examination of Foreign Banks Establishing Branches or Representative Offices" to give effect to such amendments.

Foreign banks' desire to establish branches in places other than those presently permitted will be considered by this Government when Republic of China nationals are allowed under our law to incorporate new banks.

3. Insurance

Presently, two property insurance companies and two life insurance companies from

the United States are permitted to establish branch offices in Taiwan each year. This Government will consider permitting United States insurance companies to establish subsidiaries and joint venture companies when Republic of China nationals are allowed under our law to establish new insurance companies.

4. Securities

The Republic of China will gradually open her securities industry. We also envision an increase in the channels for ROC investments in overseas securities.

II. Increased Purchases From the United States

As in the past, the Republic of China will continue to encourage increased purchases of United States products. "Buy-American" missions dispatched to the United States will continue. Companies in our private and public sectors will be encouraged to make more purchases from the United States.

China External Trade Development Council, the ROC Federation of Industries and Commerce and the Board of Foreign Trade will be responsible for inviting potential buyers from our private and public sectors to join trade missions to the United States, to attend international exhibitions held in the United States in order to keep abreast with United States products, and to visit United States companies, plants and other facilities as recommended to them.

The Republic of China will assist United States businesses in conducting more extensive promotional activities in Taiwan. We will continue to sponsor the holding in Taipei of United States Products Shows and encourage United States manufacturers to participate in specialized trade shows held at the Taipei World Trade Center. Trade offices established in Taipei by state governments of the United States will be assisted in obtaining business opportunities and in the expansion of their business activities.

We shall compile information relating to major procurements from overseas intended by companies in our private and public sectors and will encourage United States manufacturers to make tenders in accordance with applicable requirements.

III. Review of the Feasibility of Concluding a Bilateral Agreement With the United States Governing Investment and Technology Transfer

This Government considers that a bilateral agreement with the United States on investments and technology transfer merits serious study. We will collect relevant materials from Europe, the United States, Japan and other developed nations as well as from certain developing countries with regard to domestic laws, treaties and conventions on investments and technology transfers. With these sources as a guide, this Government will produce a working draft for discussions with the United States.

IV. Acceleration of Market Diversification

The Republic of China will most seriously enforce the plan entitled the "Five-Year Plan to Diversify Markets and to Balance Trade" formulated by the Ministry of Economic Affairs. We intend to expand our trade with other parts of the world in order to reduce our dependency on the United States market.

We have recently established the "Overseas Economic Cooperation and Development Fund" with a budget of NT\$30 billion. This Fund is intended to provide financial assistance to developing countries in the development of their economy.

Drawing on the Fund, direct investments will be made in major projects of developing countries and, in coordination with the United States, participations will be had in their development projects sponsored by international organizations.

V. Enhancement of the Image of ROC Products Overseas

The Republic of China will take various measures to enhance the quality of Republic of China products in accordance with international standards. In addition, this Government will investigate all allegations of infringement in intellectual property rights asserted by United States businesses. We will also maintain close contacts with private anti-counterfeiting organizations in the United States in this regard.

VI. Adjustment of Our Economic Policies and Measures

A. The Republic of China will take various measures to increase our domestic demand in order to stimulate the growth of our domestic market for imported goods. This goal will be pursued through a number of measures including the increase of public expenditure.

With respect to government expenditure, we plan to increase and up-grade facilities and equipment used in governmental institutions and schools.

We will require state-owned companies to increase investments by accelerating the replacement of their capital equipment, implementing antipollution measures, and continuing the expansion of facilities for the energy industry. It is our estimate that fixed investments by state-owned companies will be gradually increased to 4.9% of our GNP in 1992 as compared to 4.4% in 1989.

Investments will also be made to improve our agricultural infrastructure, to introduce necessary adjustments to the production structure of our agricultural industry, and to improve the function of the market for our agricultural products.

Government investments will from now on be extended to cover socially oriented public projects rather than focusing on economic returns alone, and will be increased for the enhancement of medicine, sanitation, recreation, pollution controls and environmental protection. As from 1989, we expect that the aggregate of such government investments will be maintained at a rate of 5% of our GNP.

Social insurance programs will grow gradually over time such that government expenditure will rise to 15.2% of our GNP by 1992, compared to 14.8% of our GNP in 1989. A comprehensive national health insurance program will also be introduced.

To increase the private sector's expenditures, we will continue the policy to liberalize our trade to stimulate demand for imports. The private sector will be encouraged to build new schools, to increase investments in pollution control, research and development and high technology industry.

Investments by our Government and state-owned companies will help the development of industries in the private sector such as construction, manufacturing and service industries. Such investments will not only bring about the modernization of our service industry, but will also cause trade-related industries to direct part of their resources to be invested in nontrade related sector, thus leading to the harmonization of the overall economic development of the Republic of China.

Finally, our trade policy will be reviewed and necessary adjustments made to ensure

that balance will be maintained in our policy for imports and exports so as to reduce trade surplus.

B. The Republic of China will increase investments in her infrastructure. We will increase our annual budget so that within four years, the average annual growth rate of our budget for such investments will exceed 10%.

To accelerate investments in our infrastructure, we shall increase the importation of construction and other equipment and materials, and facilitate engineering consulting companies of international standing to provide the necessary technical and management services. In appropriate cases, foreign construction companies will be permitted to participate in public construction projects.

We recognize that public construction and environmental protection must be balanced. Investments in environmental protection will also be emphasized.

Measures will be taken for the stocks of state-owned companies to be publicly traded to accelerate privatisation of state-owned companies and to obtain funds from the private sector to meet the demand for public investments capital.

C. The Republic of China will take measures to increase our citizens' interest in the enhancement of a better quality of life. We will encourage investments in the construction of recreation and sports facilities. Import tariffs on consumer products will be reduced and long term consumer loans will be made more readily available. Fair trade law (including consumer protection laws) will be introduced.

VII. Strengthening People-To-People Contacts and Enhancing Mutual Understanding

Channels of communication will be maintained and broadened so that the United States and the Republic of China will cooperate with each other through regular consultations.

We will provide timely advice to the United States on the progress of our plans which have bearings on our relationship with the United States and will maintain close contacts with American Institute in Taiwan on matters related to the overall bilateral trade relations between our two countries and on important economic and trade issues and their possible future developments.

We shall disseminate information and hold seminars to enhance ROC business community's understanding of the Omnibus Trade and Competitiveness Act and to familiarize our industry and business with its provisions. We will also maintain contacts with the American Institute in Taiwan to increase our understanding of problems related to that Act.

VIII. Other Measures

A. This Government will strengthen the coordinating role of the Ad Hoc Sino-U.S. Trade Committee in our trade talks with the United States and invite the United States to begin talks as soon as possible with the Republic of China on an agreement on the free trade area.

B. We will propose to the United States the establishment of a mechanism for the settlement of trade disputes and differences in the interpretation of any provision in an agreement concluded between our two countries.

C. We will solicit United States support for our participation in international economic and trade activities. In this connection, we will apprise the United States of our establishment of the Overseas Economic Cooperation and Development Fund.

D. This Government will adopt effective measures to strengthen protection of intellectual property rights.

1. Copyrights

We will soon conclude the talks with the United States on the protection of Copyrights.

We anticipate that the draft bill amending the ROC Copyright Act will be completed by the Ministry of Interior prior to June 30, 1990. This bill, when approved by the Executive Yuan, will be submitted to the Legislative Yuan for examination and enactment.

We will also revise the Ministry of Interior Organization Act to establish the Department of Copyright, which will be responsible for copyright protection.

Within three months after the amendments to ROC Copyright Act become the law, this Government will amend the copyright enforcement rules.

We appreciate that laws alone are insufficient to assure complete copyright protection. Copyright law courses will be given at universities and colleges and to all police officers in order to enhance their understanding of copyright enforcement and protection.

In addition, we also plan to establish a court to specialize in the protection and enforcement of intellectual property rights.

2. Movies and Videos

This Government will take effective measures to prohibit the performance of counterfeit movies, video tapes, and television and radio programs. We will improve our procedures for examining whether movies and films are shown in a manner authorized by their producers. Movie distributors will be required to produce certificates of authorization from the original producers when applying for licenses. Funding will be provided to assist the Anti-Counterfeit Committee established by the Taipei Motion Pictures Dealers Association to prevent counterfeiting of movies and video tapes.

Radio and television stations will produce anti-counterfeiting programs. Periodic inspections by the police will be initiated against illegal video tapes.

Various anti-counterfeiting posters will be posted and anti-counterfeiting programs, conducted by way of seminars, publications, movies, and radio and television programs. We will also sponsor anti-counterfeiting concerts to raise greater awareness of this issue among our citizens.

3. Trademarks and Patents

Necessary amendments to the ROC Patent Act and Trademark Act are being contemplated to enhance trademark and patent protection. Article 62-3 of the ROC Trademark Act will be amended so that counterfeit products, whether they are the property of the infringer or not, will be subject to confiscation. We will also adopt computer systems to improve the examination of trademark and patent applications.

We will strengthen communication and cooperation with international anticounterfeiting organizations.

Under Regulations to be formulated, companies which are found to have exported products bearing trademarks registered outside the Republic of China without proper authorization may be subjected to forfeiture of their export rights.

We will strengthen the organization and function of the National Bureau of Standards and Anti-Counterfeiting Committee of

the Ministry of Economic Affairs and the National Anti-Counterfeiting Committee of ROC National Federation of Industries. We will also ensure that the relevant bodies of our government will vigorously prosecute infringements of trademarks and patents.

APPENDIX: ROC TARIFF REDUCTION SCHEDULES

(Unit: Percent)

	Anticipated Schedule				
	1988	1989	1990	1991	1992
Average nominal duty rate:					
All products	12.57	10.25	9.17	8.08	7.00
Agricultural products	25.99	24.21	23.25	21.32	19.82
Industrial products	10.20	8.03	7.03	6.02	5.02
Average effective duty rate...	5.66	4.70	4.30	3.90	3.50

Note: The Average Effective Duty Rate for 1988 equals tariff revenues collected divided by total imports (excluding gold imported by Central Bank of China). ●

ENHANCED RESCISSION AUTHORITY

● Mr. HUMPHREY, Mr. President, an interview with former OMB Director James C. Miller III, on the Federal budget appears in the spring 1989 issue of Policy Review.

I was particularly interested in OMB Director Miller's comments on budget reform. When asked "which budget process reforms would be most important to make?" Miller responded with two proposals—a balanced budget amendment to the Constitution and former Senator QUAYLE's enhanced rescission proposal.

I have long been a supporter of a constitutional amendment to balance the budget. As in past years, I have joined with Senator THURMOND and other colleagues in offering a balanced budget amendment at the outset of this Congress. It is significant to note that no less than 42 Senators cosponsored one or another of the eight balanced budget amendments introduced in the 100th Congress. Polls show that some 75 percent of the American people support a balanced budget amendment, so there is broad agreement with Mr. Miller's stress on the need for a balanced budget amendment.

I have introduced Senate Concurrent Resolution 9 which is the enhanced rescission proposal first proposed by Vice President QUAYLE. With respect to this proposal, former OMB Director Miller comments:

The more I look at the State data, the more I believe that the enhanced rescission authority proposed by then-Senator Quayle would be more effective than an ordinary line-item veto. On the face of it, the President has more authority with a line-item veto that can be overturned only with a two-thirds vote of both Houses than he does with enhanced rescission where Congress can restore full funding with the majority of just one House. In practice, however, enhanced rescission gives more opportunity to fine-tune priorities and keep spending under control.

Mr. President, I ask that a copy of this article be printed in the *RECORD* following my remarks. I encourage all Senators to examine closely the enhanced rescission legislation which I have introduced.

The article follows:

THE MAN WHO BROUGHT THE DEFICIT DOWN
(An Interview by Adam Meyerson)

In mid-February, James C. Miller III spoke about the federal budget with Adam Meyerson, editor of *Policy Review*. Miller served as director of the Office of Management and Budget from October 1985 to October 1988. He is now chairman of the board of Citizens for a Sound Economy and John M. Olin Distinguished Fellow at George Mason University's Center for the Study of Public Choice.

POLICY REVIEW. You took over as director of OMB at the beginning of fiscal year 1986, when the federal government recorded its largest budget deficit in history. By the time you stepped down at the end of fiscal year 1988, the deficit had fallen from \$221 billion to \$156 billion. What explains this sharp decline without a tax increase?

MILLER. The real drop took place between fiscal year 1986 and fiscal year 1987, when the deficit fell to \$150 billion—a \$71 billion decline, the largest deficit reduction in our history. About \$20 billion of this decline came from tax reform, which boosted revenues in the first year even though it was neutral over a period of four years. The major reason for the deficit reduction, however, was that the president hung tough on spending. He threatened to veto any excessive appropriations, and to veto new programs unless they were offset by spending cuts elsewhere.

Then, in October 1987, the market collapsed and the president was goaded into accepting a budget summit with "everything on the table." The result of those negotiations was a substantial increase in assorted taxes—mostly changes in business accounting rules (vacation pay reserves, completed contract methods, etc.)—and only very modest reductions in spending from the "current services" levels that assumed spending would be left on automatic pilot. For all the ballyhoo about the agreement between the president and the Congress, the deficit actually went up—to \$156 billion in fiscal year 1988, and an OMB estimate (in the Bush budget) of \$163 billion for fiscal year 1989.

One might conclude from this episode that a policy of holding firm against tax increases and against excessive spending results in a substantial reduction of the deficit, whereas agreeing with Congress to a tax increase results in no deficit reduction progress at all—in fact, it produces the reverse.

P.R. How important is it that the deficit be brought down?

MILLER. It's very important to bring the deficit down—for two reasons. One, as an efficiency matter, there's no question that large deficits, and the increased spending that goes with them, restrain our economic growth and our progress as a society. Taking resources from the private sector and putting them in the public sector is bad economics because at the margin the public sector spends resources much less efficiently than does the private sector.

Two, we are off-loading the burden of these deficits onto future generations, many of whom are not even born yet. The moral problem with deficits is perhaps as serious

as the loss of efficiency resulting from higher government spending.

P.R. Most of the spending cuts in the last few years have been in defense. Have these cuts taken muscle or fat out of our fighting forces?

MILLER. The defense budget has declined in real terms over the last four years, but is still about 50 percent higher in real terms than it was in 1980. On the whole, the increases in defense were justified, given the sad state to which our readiness had fallen by the late 1970s. The cutbacks Congress had made from the president's budgets in recent years and the earmarking of funds for pork-barrel and other projects of lower priority have weakened our defenses. On the other hand, the Defense Department hurt itself with its "Chicken Little" strategy for dealing with Congress; after a while, bloated claims of calamitous results fell on deaf ears.

We can maintain a strong defense with less money, but only if Congress cooperates. To begin with, it might be possible to save as much as \$10 billion per year by giving the Defense Department the predictability of a two- or four-year budget, rather than the yo-yo budgets they've had in the recent past.

Second, the Congress needs to carry out the remainder of the Packard Commission recommendations for procurement reform. We waste a lot of money in our procurement programs, and this could be reversed if these reforms were put in place.

Third, it's high time we declared the defense budget off-limits for pork-barrel spending. I remember several years ago how Senator Alfonse D'Amato held up the omnibus continuing resolution appropriations bill in order to put into the defense budget the purchase of some airplanes manufactured on Long Island, planes that the Defense Department didn't want and doesn't use. The defense budget is too important for this sort of chicanery, and it's time that Congress quit it.

P.R. Do you think that the financial problems of Social Security and Medicare were solved by the 1983 legislation?

MILLER. Medicare is technically bankrupt. It needs major reform in its financing or in its benefit structure in the not-too-distant future. My concern is that the shortfall is going to be made up with ordinary tax revenue, thus contributing further to the notion that this is merely an insurance program. It's not; it's redistribution on a broad scale.

Of even greater concern to me is Social Security, which is basically a Ponzi scheme. I don't mean this pejoratively, but as a technical description. A Ponzi scheme can work as long as you have a burgeoning base of workers making payments into the system. But when the base narrows relative to the top, and the top, in effect, lengthens because people are living longer, then you are in real trouble.

In a sense, the 1983 reforms made the Social Security system actuarially sound. That is to say, the system is building a surplus sufficient to pay expected beneficiaries when the baby-boomers reach retirement. The problem is that Social Security trustees, by law, must invest in government securities, which are nothing but IOUs to be paid off by future taxpayers. By the year 2030, when the system begins to pay out of its surplus, the generations then working are going to have to pay back those securities. So the system is little different than if it weren't building a surplus at all. Generations of working people in the year 2030 and

beyond are going to have to pay much higher taxes to support Social Security beneficiaries.

This, in my judgment, is going to cause extreme intergenerational conflict. When people of working age discover, in the year 2030 or so, that their taxes are going to be increased by enormous amounts to pay annuities for the elderly, they are going to be upset. I worry that we might see social unrest of the type we haven't seen since the civil-rights or anti-war movements of the '60s and '70s.

By investing the Social Security Trust Fund in government securities, we also artificially lower the recorded overall deficit of the government. The Social Security surplus is around \$60 billion this year. So, in a sense, the operating deficit of the U.S. government is really some \$60 billion or so greater than that recorded under Gramm-Rudman-Hollings rules. The illusion of lower deficits takes some of the pressure off our political leaders to keep spending under control.

P.R. What Social Security and Medicare reforms would you advise for politicians who want a sound economy and also want to be reelected?

MILLER. First, we ought to redefine our Gramm-Rudman-Hollings targets to exclude the Social Security surplus. Assuming this surplus will be in the neighborhood of \$100 billion annually by 1993, I think it perfectly reasonable to extend the Gramm-Rudman-Hollings targets, say, for three years. We should be balancing the budget without the benefit of the Social Security surplus.

Second, to make sure that by 2030 the surplus is simply more than IOUs that have to be redeemed by taxpayers, the trustees should be directed to invest in instruments other than federal government securities. These could include real estate, state and local bond issues, and ordinary commercial debt (although I would not want the Social Security Trust Fund to own much of the debt of any company—and certainly no equity, which would be a back-door means of state ownership.)

P.R. During your years at OMB, which Cabinet secretaries and agency heads were most effective in working for spending restraint? Which ones caused OMB the biggest problems?

MILLER. I was struck by the number of Cabinet meetings where the president would extol the importance of keeping the size of government under control, and remind members of his Cabinet why we "came to Washington," and then members of the Cabinet would go around the table exclaiming that they were in 100 percent agreement with the president and that he could depend on them to carry out his wishes. And I would squirm in my seat, realizing that the same Cabinet officer promising his full support had just submitted a budget that was way over the guidance that OMB had given the agency.

I can't tell you how many times agency heads told me something like this: "Jim, you know there's no one who stands behind the president's program more strongly. I was with Ronald Reagan in 19—, and I've been a supporter of all of his programs. I agree that we must get total spending down, but you must understand that my program is special, it's different." Or: "As you probably know, this is one of the president's strongest priorities." Probably three-quarters of the Cabinet officers lobbied strongly for increases in their budgets.

Don Hodel at Interior, Bill Bennett at Education, and John Herrington at Energy were probably the most cooperative in trying to restrain the growth of their own programs while meeting national needs. As for those who were least cooperative, I'm not going to mention any names, but you can just look at whose budgets rose year after year. The defense and a few other budgets, of course, the president wanted to increase himself, but other budgets continued to grow despite the president's admonitions. Most Cabinet members appealed the OMB "passback" (that is, the budget OMB passed back to the agencies in response to their requests), and frequently they appealed over my head. In some cases the president went along with their request for greater funding, but in most cases he turned them down.

P.R. What were your biggest disappointments in terms of programs that are still in the budget but should have been eliminated or sharply reduced?

MILLER. I guess my biggest disappointment was the failure to get much change in the entitlement area.

About half of the budget is for entitlements—Social Security, Medicare, Medicaid, unemployment insurance, veterans benefits, and so forth. Year after year, we proposed changes in these programs that would not have affected legitimate beneficiaries adversely, but would have streamlined programs and reduced their costs. Yet Congress repeatedly refused to make the changes. Unfortunately, the president has very little leverage here. A president can veto an appropriations bill or a continuing resolution. But there's no way he can veto entitlement spending, because entitlement spending is already on the books.

I suppose that, as a long-time advocate of transportation deregulation, I am especially disappointed that we still have an Interstate Commerce Commission. Successive chairmen of the ICC have all recognized that even the agency's residual role is counterproductive: it restrains entrepreneurship and raises costs to consumers. In December 1985, as we were preparing the fiscal year 1987 budget, I reminded the president that the first federal regulatory agency—the ICC—was established in 1887 and in 1987 would be 100 years old. I said, "Mr. President, I think you will agree with me, 100 years is long enough!" He laughed, and he said, "You are absolutely right," and so we proposed eliminating the ICC in the fiscal year 1987 budget. Of course, Congress did not take that action.

We did succeed in eliminating some programs that were terribly wasteful, like UDAG and HODAG (Urban and Housing Development Action Grants). I think that the hammer of Gramm-Rudman-Hollings forced Congress to set some priorities, and to do away with egregiously ineffective programs.

P.R. Are there any government programs you find particularly cost-effective?

MILLER. In the drug area, some of the education programs on the demand side seem to be far more effective at the margin than the supply-side approaches. Ed Meese did a marvelous job in trying to interdict the supply of drugs, and in many celebrated instances was able to take huge caches of drugs off the market. But we all recognize, sooner or later, that it's virtually impossible to eliminate the flow of drugs; all you can do is raise the price. Far more effective in trying to eliminate this scourge are education and treatment. Also, our law enforcement re-

sources are probably better directed locally than at our borders: this is where we must be more effective at prosecuting drug sellers, and even taking to court consumers of illicit drugs. Frankly, it's despicable the way some state and particularly local politicians decry the lack of federal effort against drugs, when the data shows clearly that the federal government spends a much greater portion of its law enforcement resources on the suppression of drugs than do state and local governments.

P.R. As a student of incentives in the budgetary process, you've been a strong supporter of the Gramm-Rudman-Hollings approach to the deficit. Would you advise President Bush to threaten a sequester if Congress doesn't reach its own Gramm-Rudman-Hollings targets this October?

MILLER. Yes, I would. We ought to bear in mind that a sequester threat by President Bush will be more credible than the ones by President Reagan. Everyone recognized that President Reagan was loath to see a sequester of defense resources, but people do not perceive in George Bush the same commitment to defense spending. If President Bush threatens a sequester, Congress is more likely to act to avoid one.

P.R. How do you explain how Phil Gramm got Congress to impose these deficit limits on itself?

MILLER. That's an interesting question for public choice theory. Number one, members of Congress recognized that there was a great deal of public disgruntlement about the deficit. The polls continued to show that the American people believed Congress was more to blame than the president for the deficit. This riled many members of Congress who truly believed it was the president's fault and wanted the public to believe it was the president's fault. So Congress was under the gun to do something.

Number two, Gramm's law of politics is "congressmen will never make a decision unless they have to"; a corollary to Gramm's law is that "they tend to make the right decision if forced to make one." Members of Congress did not want to be responsible for having to cut particular programs. Gramm-Rudman-Hollings targets gave them something to hide behind, as they were able to rationalize to their constituents some restrictions on spending.

Many members of Congress probably thought the deficit targets would force President Reagan to raise taxes. The president, it must be remembered, was not happy about Gramm-Rudman-Hollings in its final form, with defense accounting for half the funds to be sequestered if deficit targets weren't met. The version he endorsed envisioned defense taking less than a third of the hit, the same as its proportion of the overall budget minus Social Security. By placing many politically sensitive programs (in addition to Social Security) off-limits and by increasing the hit on defense, many members of Congress thought that Gramm-Rudman-Hollings in its final form would not be so devastating if it came to a sequester (that is, across-the-board cuts) and would force the president to raise taxes rather than contemplate large cuts in defense.

Finally, I think you need to attribute something to the skills of Senators Gramm, Rudman, and Hollings in bringing colleagues around to their point of view.

P.R. You strongly supported President Reagan's call for a line-item veto and a balanced budget amendment. Why didn't the administration send budget process legislation up to Capitol Hill?

MILLER. The president repeatedly asked for budget process reform, and he advocated a balanced budget amendment and a line-item veto in practically every State of the Union address. He proposed additional budget process reforms in his 1988 budget message. At that time, draft legislation to reform the budget process was being circulated, but some of the people working on it got caught up in the Iran/Contra controversy, and their attention was directed elsewhere.

There were also other legislative vehicles for budget process reform, and so we didn't think it was vital for the administration to push its own bill. For example, the president supported a Senate amendment sponsored by Dan Quayle that would have given the president "enhanced rescission authority." We supported with some changes a balanced budget amendment cosponsored by Larry Craig and Charlie Stenholm in the House. In addition, legislation vehicles existed for biannual budgeting, a line-item veto, and other reforms.

P.R. Which budget process reforms would be most important to make?

MILLER. If I had one, it would be a balanced budget amendment to the Constitution, with a restraint on total spending as a proportion of gross national product—together with a way of relieving those restraints in an emergency by a super-majority, say, a two-thirds vote of both houses and concurrence by the president; however such an emergency variance would automatically terminate after a year. Such a measure would be close to ideal, but frankly I don't think we're likely to get it.

There's a possibility that, given enough pressure, Congress will proffer a weaker balanced budget amendment without much in the way of automatic enforcement. This wouldn't be ideal, but it would be on the books, it would be part of the Constitution, and it would carry considerable weight.

Next in order of importance would be a version of enhanced rescission authority of the sort that eight governors have, including the governors of California and Massachusetts. It works like a line-item veto, except that the governor is not limited to choosing between keeping spending at the amount appropriated or eliminating the proposal altogether; he also may reduce the amount. Mark Crain of George Mason University and I have done some research showing that in states where governors have this authority, budget growth has been restrained significantly.

The more I look at the state data, the more I believe that the enhanced rescission authority proposed by then-Senator Quayle would be more effective than an ordinary line-item veto. On the face of it, the president has more authority with a line-item veto that can be overturned only with a two-thirds vote of both houses than he does with enhanced rescission authority where Congress can restore full funding with the majority vote of just one house. In practice, however, enhanced rescission given more opportunity to fine-tune priorities and keep spending under control.

I'll give a hypothetical example. Suppose Congress appropriates \$3 billion for AIDS research, while reasonable analysis suggests that only \$2 billion could be spent effectively. With the ordinary line-item veto, the president can choose between eliminating AIDS research completely, or keeping it at \$3 billion. Well, he's not going to propose eliminating it completely. But under enhanced rescission authority, he can also pro-

pose a reduction from \$3 billion to \$2 billion, and this has a much greater chance of being sustained than eliminating it altogether.

P.R. You played an important role in promoting airline deregulation during the Ford administration, and you were also executive director of Vice President Bush's task force on regulatory relief in 1981 and Federal Trade Commission chairman from 1981 to 1985. Are libertarian critics fair when they say the Reagan administration did less to promote deregulation than either the Ford or the Carter administration?

MILLER. I don't think that's fair. Let's separate the two kinds of regulation. The first is economic regulation—the entry and exit, service, and price regulation of specific industries. Over time, a great deal of research appeared about the effects of this type of regulation, and many elected and appointed representatives became convinced that consumers would benefit from much freer competition in industries such as airlines, trucking, and telecommunications. President Ford made significant proposals in these areas, and President Carter obtained legislative changes that were truly important. President Reagan protected these deregulatory gains and in some cases, such as banking reform and the decontrol of oil, made further progress.

The second category is social regulation, or health, safety, and environmental regulation. This has much greater impact on the economy than does economic regulation, but it has proven extraordinarily difficult to come to grips with. President Ford made an effort through his review process at the Council on Wage and Price Stability. President Carter set up the Regulatory Council. But neither of these institutional arrangements had much teeth, and under both of them the regulatory agencies did pretty much whatever they wanted.

President Reagan, on his second day in office, established under the vice president's leadership a task force on regulatory relief that served as an appeals board for new authority granted OMB under executive order to review all proposed rules issued by executive branch agencies. For each proposed rule, unless otherwise constrained by law, the agency had to prove to OMB's satisfaction that it had sufficient information on which to base its proposal, that the benefits of the proposal exceeded the costs, and that it had chosen the least costly method of regulation. This review process has had a dramatic impact in making regulations in the social area more effective, and in forestalling meddlesome and counterproductive regulations that would otherwise have been issued.

I think that President Reagan and then Vice President Bush deserve a great deal of credit for progress in this area.

P.R. What are the most important recommendations you would make for President Bush in regulatory reform?

MILLER. Number one, he needs to support strongly the new appeals board headed by Vice President Quayle. This board must be vigilant as well as effective. It must insist that regulators follow the rules and that they not promulgate regulations until the process has run its course.

Second, President Bush should propose legislation to codify this review process and the requirement that agencies publish their regulatory plans for the coming year. Companies and individuals used to have to pay Washington lawyers a lot of money just to find out what was going on in the regula-

tory agencies. Now this information is available to everybody. Another advantage is that the agencies can be judged for their performance in meeting their own timetables.

I hope, also that President Bush will move quickly to deregulate natural gas. Deregulation is desperately needed for more efficient utilization of our own energy resources. Competition in the delivery of postal services is long overdue, and holds the possibility of great gains to American consumers and a reduction in costs for American taxpayers; I hope the President will move to circumscribe if not eliminate the private express statutes currently prohibiting competition.

Then, of course, there's unfinished business in telecommunications, and transportation, to mention just a couple. And finally, I hope President Bush will be successful in holding on to the gains of deregulation. There is a lot of frustration about the airlines right now, and an erroneous tendency to blame airline deregulation for the problems perceived. In the case of savings and loans, I am very concerned that members of Congress will argue that the present mess was the fault of financial deregulation. The S&L mess is really a failure of government, not the fault of the competitive marketplace.

P.R. How did government cause the S&L mess?

MILLER. The S&L mess has several causes, but one in particular was the failure of the government monopoly insurance company to charge premiums based on risk. This failure, of course, was influenced by Congress, so ultimately Congress is culpable. Any insurance company that doesn't rate according to risk ends up with a run by insurers to the lowest common denominator. This is exactly what happened when the S&L regulators, with prompting by Congress, allowed thrifts to diversify their portfolio into much riskier loans without any increase in premiums. A lot of S&Ls rolled the dice and lost. And others will end up paying for it.

P.R. Are you disappointed that you were able to make little headway on privatization?

MILLER. Of course. Our privatization initiatives made eminent good sense. Study after study reports that when both government and the private sector are capable of producing and distributing a product or service, the private sector invariably does it more efficiently.

We also thought that Congress, in its desperation to meet the Gramm-Rudman-Hollings deficit targets, would be so anxious to take the deficit reduction associated with privatization (decrease in subsidy as well as increase in revenue from the sale of assets) that it would end up privatizing much more than we might have hoped for in the absence of this deficit crunch.

In the end we failed, except for the sale of Conrail and some loan portfolios. We underestimated the strength of the special interests (riders of Amtrak, users of the Bonneville Power system) and their effectiveness in holding onto their subsidies. The initiatives also became labeled as "phony deficit reduction" by those who wanted to use the deficit shortfall to force the President to go along with higher taxes.

That's a shame. I hope President Bush will give the program an additional push, and that more thoughtful members of Congress will evaluate the pros and cons on a more rational basis.

P.R. You have often spoken highly of the career bureaucrats at both OMB and the

FTC, saying they followed clear instructions from political appointees, and even seemed influenced by some of your free-market ideas. What advice would you give conservative political appointees about making better use of career bureaucrats in advancing their agendas?

MILLER. First, it's important to remember that most bureaucrats are ordinary people. They have families, they pay taxes, and they care about their communities and their country. It should also be borne in mind that most bureaucrats are in government because they think public service is important and they want to serve the American people. I would encourage political appointees to laud the goals of public service and to recognize the sacrifice many of these people are making. Many civil servants could earn more money on the outside. To them the notion of public service is extremely important, it's almost a hallowed calling.

Because most bureaucrats genuinely do want to serve the public, they can be persuaded by a political appointee with better ideas. You have to plead with the career people, argue with them, roll up your sleeves and have it out with them in a friendly way. You have to convince them that your policy approach indeed serves the public more efficiently than the policies they may have adopted previously. If you do this, the bureaucrats will listen, and they will concede you the benefit of the doubt. This convincing takes more time at some agencies than others, but at many agencies a large number of bureaucrats are now convinced that public service is best carried out by letting markets work. Obviously if this means dismantling an agency or reducing the number of employees, you have to help people find rewarding employment elsewhere in government or in the private sector.

P.R. How well does the press cover budget issues?

MILLER. I think on the whole press coverage of budget issues is very good. But what bothered me most at OMB was the presumption of most reporters that OMB numbers were produced for political purposes, and therefore not to be believed. This was a reflection on some earlier history at OMB, but as a former academic who thinks it's important for numbers to be reliable, I found this presumption extremely disconcerting. For three years running, both members of Congress and the press beat me over the head with the "rosy scenario" charge; they said our projections of economic growth, and hence of revenues, were too optimistic. Well, the fact is, for two of those three years and also for the entire three-year period, OMB underestimated revenues.

Of course, we also underestimated outlays. But this was because of Congress, in failing to make changes in entitlement programs, and in its overall appropriations, spent more than the president asked for. The reason the deficit exceeded OMB projections each of the three years was that Congress spent more, not that OMB was too rosy in its economic forecasts.

P.R. Is there a disproportionate emphasis in the press on the trade deficit?

MILLER. I think there is. One of the biggest errors is the allegation that we are a debtor nation. The data that are used to make that point are based on historical prices, but the proper way to look at this is to compare market values of American-owned assets overseas with foreign-owned assets here. When you do that, it's obvious

we still own more of them than they own of us.

P.R. Is there a bias toward tax increases instead of spending cuts in press coverage of the deficit?

MILLER. There is a preoccupation with the tax side. We've just had an election where a major difference, if not the major difference, between the two candidates was that one said he would not raise taxes under any circumstances, and the other said that he would do it only as a last resort. In my judgment, when a politician says he'll do something as a last resort, he's already committed to doing it. Yet, after this election, the media has concentrated almost wholly on what kind of taxes will be increased, not whether there would be a tax increase. Citizens for a Sound Economy has just released a Roper Poll showing that by a 3-to-1 ratio, people tend to blame the deficit on Congress, not on the president; by 6-to-1, they think the reason for the deficit is too much spending, not insufficient tax revenue; and by an astounding 15-to-1, they want to reduce the deficit by controlling spending, not raising taxes. Yet the preoccupation in the media is with how to raise taxes rather than how to control spending.

Certainly there is a bias in Congress toward increased taxes and spending. One of my most vivid recollections of those budget summit sessions was that after all the staff were dismissed and the doors were closed, with only a few exceptions the congressmen talked broadly and with great exuberance about the need to raise taxes, and how that basically would solve all their problems. Of course, it would. All they needed was somebody to blame for the tax increase. The key to success for members of Congress is to take credit for spending increases that aid constituents but to blame tax increases on somebody else.

P.R. During your years at OMB, which congressional budgetary actions did you find most hypocritical, and which ones most responsible?

MILLER. I would call the passage of Gramm-Rudman-Hollings a responsible act. The passage of separate appropriations bills for fiscal year 1989, even at the absolute 11th hour and 59th minute, was a responsible act.

The most hypocritical event surrounding the budget probably came when President Reagan, during his State of the Union message in January 1988, held up the enormous continuing resolution and the enormous reconciliation act for that fiscal year, and said, "If you send me another one of these, I will not sign it." Then he got a standing ovation from the very people who had sent it to him!

The second most hypocritical act was the passage of these enormous bills by members of Congress, while representing to the entire world that they knew what they were doing. In fact, I suggested to the president that he add to his speech the following line: "Will any of you members of Congress who actually read either of these bills, please stand."

If there were any honesty in the hall that evening, no more than one or two would have stood. The fact of the matter is that the congressmen who passed these bills had not more than the slightest idea what was in them. I know I did not read even one of the bills thoroughly, because we got one at 2:00 a.m. and one at 5:00 a.m., and the president had to decide whether to sign them by 2:00 p.m. the next day. At noon I met with some of the 300 people from OMB who had

pored through these bills all night and the next morning. They didn't have time to study the documents thoroughly, just to look for killer provisions, budget items that were terribly out of whack. And then at 1:00 p.m. I met with the president to explain to him what was in them.

P.R. Have your views of what government should and shouldn't do changed much as a result of your eight years with the Reagan administration?

MILLER. No, my views haven't changed much, perhaps because I've been an observer for some time, and perhaps because I came through the public choice tradition, which tries to explain government behavior and how changes in the institutions affect that behavior. I still think that government does some things well and a lot of things very poorly, that government is too large, and that there are biases toward deficit finance and larger government that need to be remedied with institutional restraints. I do come out with greater affection and respect for the people who work in the federal government. And, because I've learned to appreciate even more the effects of incentives on the behavior of people in government, I suppose I'm more optimistic about the prospects for improving their performance in the public interest.

P.R. How did your budgetary strategy and analysis differ from David Stockman's?

MILLER. Stockman and I were at OMB at different times. He had some problems and opportunities that I didn't, and I had some problems and opportunities that he didn't. But the basic difference is that Stockman at the beginning of the administration was very optimistic about reducing the size and scope of government and by the time he left he was very pessimistic. He became disillusioned with the budget process and very discouraged about the possibility of our making much progress on the deficit on the spending side, because, despite their rhetoric, members of Congress will vote to satisfy the special interests. He left absolutely convinced it would take a substantial tax increase to reduce the deficit.

I come from the public choice school, which says that if the outcomes of the collective choice processes are not optimal, you don't blame the people, but look at the institutional arrangements and the incentives that affect their behavior. Over and over in his book, Stockman expresses his disappointment in congressmen who made speeches about the need to cut the deficit but then, when the chips were down, made sure they brought the pork back home for their districts. I argued by contrast that the problem is the institutional arrangement. For that reason, I was active early in helping to formulate and then to achieve passage of the Gramm-Rudman-Hollings act. I believe the key is not to plead with members of Congress to restrain spending and reduce the deficit, but to put restraints on spending and deficits into the Constitution—and also, desirably, to give the president, who represents all the people, enhanced rescission authority or the line-item veto to help shape priorities.

P.R. What advice would you give Richard Darman, based on your accomplishments and mistakes?

MILLER. I would urge him to hang very tough on the no-tax-increase promise. If he believes that a tax increase will lead to deficit reduction, he's wrong.

I would also urge him to do everything he can to improve the credibility of OMB's figures. I did what I could, and it was a major

disappointment for me that many people still thought our figures were advanced for political purposes. It's going to take a long time for the institution to recover the credibility it has lost. ●

U.S. JAYCEES 10 OUTSTANDING YOUNG AMERICANS

● Mr. FORD. Mr. President, today in Washington, at the White House and here in the Capitol, the U.S. Jaycees is honoring their 1989 10 outstanding young Americans.

As a former national president of the U.S. Jaycees, and a Senator with one of this year's honorees from my home State, it is a privilege for me to recognize these 10 distinguished young leaders:

Dr. Stephen Henry, Louisville, KY;
Louis Agnese, Jr., San Antonio, TX;
Keith Butler, Detroit, MI;
Gene Eidelman, Atlanta, GA;
Herren Hickingbotham, Little Rock, AR;

Sheila Holzworth, Des Moines, IA;
Michael Lamb, Sr., K.I. Sawyer Air Force Base, MI;
Judge Layn Phillips, Oklahoma City, OK;

Dr. Ronald Solar, San Diego, CA; and

Jeana Yeager, Nipomo, CA.

These 10 young leaders have gone through a demanding selection process. The criteria used to establish these people as 10 of our Nation's finest include: how their achievements have benefited the community, State, or Nation; whether those achievements have served as an inspiration to others; and how well their performance reflects the meaning of the jaycee creed.

These honorees are a living example of the jaycee belief that "Earth's great treasure lies in human personality and that service to humanity is the best work of life."

I ask that brief descriptions of their activities be printed in the RECORD.

The material follows:

LOUIS AGNESE, JR.

Before beginning his own college career, Louis Agnese Jr. overcame a serious speech impediment. Today, the president of Incarnate Word College, San Antonio, Texas, isn't interested so much in students' "income" as he is in their outcome.

The college experienced enrollment declines six consecutive years, but that changed starting in 1985 when Agnese assumed the presidency.

He initiated a bilingual marketing campaign which in two years produced a 60 percent enrollment increase, including an 85 percent increase in Hispanic enrollment.

The theme of the campaign's first year was "Break the Barriers at The College." Agnese was committed to attacking illiteracy and school-dropout problems. This year's theme is "Brainpower," which stresses individual growth. Byproducts of the campaign include increased financial assistance, an academic scholarship issued to a General Equivalency Diploma (GED) stu-

dent and the development of partnerships with media to offer scholarships.

Agnese evaluated the college's strengths and areas for improvement. He designed a program for the future, "Target 90 Goals for 90 More Years," a \$30 million project to raise funds for physical expansion, student scholarships and grants, and faculty chairs to assure the stability of the college.

Agnese introduced innovative student assistance plans which he intends to strengthen through the college endowment. He received a Gold Medal Award from the Council for the Advancement of Education for his leadership in promoting higher education nationwide.

Agnese, 37, and his wife, Michaeline, reside in San Antonio with their children, Louis III and Nancy.

KEITH BUTLER

The troubles of a great city are opportunities for the future well-being and prosperity of its people.

With that philosophy, and a vision for revitalization and restoration, Keith Butler sheds a positive light on the city of Detroit's problems.

For the past eight years, he has served as founder, pastor and president of the Word of Faith Christian Center in the heart of Detroit. The center began with Butler and his wife, and now its active congregation has more than 3,500 people with 68 employees.

Butler started Operation Helping Hand, a program to link poor and low-income individuals with government and private agencies.

His community interests also include the elderly. He garnered more than 70 volunteers who daily visit and administer to the needs of the elderly in 21 city nursing homes.

Concerned about education in Detroit public schools, he founded and organized the Faith Christian Academy, a private elementary school. He also founded and became president of the Detroit Coalition for Academic Excellence, whose purpose is to improve the quality of education in Detroit.

While becoming a prominent community activist, he initiated self-help programs for Detroit residents, including tenant/resident management and urban homesteading for public-housing residents.

He represents community concerns by editing and writing newspaper articles and speaking on radio and television.

Butler, 33, and his wife, Deborah, have three children; Andre, Michelle and Kristina.

GENE EIDELMAN

Two kitchens and two bathrooms were shared by eight families in a communal apartment in Kiev, Soviet Union. The teenage Gene Eidelman was unable to speak English.

In 1976, the Eidelman family left the Soviet Union with a few belongings and \$100 per person. The family remained in Rome five months while United States immigration paperwork was finalized. Eidelman and his older brother Uri supported the family by moving furniture.

The family eventually settled in Los Angeles. At 18, Eidelman worked nights using the Italian he learned in Rome to make himself understood to liquor store customers.

When he became more proficient in English, Eidelman began taking bookkeeping and tax preparation courses. By August 1977, he received his real estate license. By 1979, Eidelman and his brother started their own development company.

In 1981, Eidelman set up home and office in Atlanta. From 1981 to 1983, he spent two weeks monthly in Atlanta and two weeks in Los Angeles. He created the "Club Concept," building luxury apartments in Atlanta, Nashville and Memphis.

Early in 1984, he, two partners and a secretary put together the first two projects known as "The Club." Later, the first shopping center was erected. Club Properties now owns \$115 million in properties.

Eidelman also helped 400 Russian families by founding an organization that helps immigrants adjust to their new lifestyle.

Eidelman, 30, and his wife, Dawn, live in Atlanta with their son, Aron.

STEPHEN HENRY

Mr. Stephen Henry distinguished himself as one of the most prolific writers and researchers trained in the University of Louisville, Kentucky, Orthopedic Residency Program.

He was appointed instructor in the Department of Orthopedic Surgery at the university's School of Medicine.

One of his main concerns is nutritional rickets and fractures in premature infants. He recommended changes in the vitamin and mineral content of intravenous solution that helps prevent fractures.

Another research area is the treatment of hip fractures in the elderly with a device called the Y-nail. The device allows the patient to leave bed the day after surgery. This prevents significant complications of prolonged bed rest, such as pneumonia and blood clots, and leads to a lower patient death rate.

Henry has also researched the treatment of chronic bone infections with antibiotic beads. Limbs that otherwise may have been amputated have been salvaged through the treatment.

Henry also is a co-developer of a nail used in the treatment of severe fractures above the knee.

But his concerns go beyond medicine. He has served on the executive board of Louisville's Tyler Park Neighborhood Association the past five years and is the founder of the park endowment fund to ensure beautification and preservation of historical structures.

He has served as a representative to the Louisville Inter-Neighborhood Coalition and has participated actively in a citywide cleanup and beautification project known as Operation Brightside.

Henry, 33, lives in Louisville.

HERREN HICKINGBOTHAM

Because we care, we share.

With that philosophy, Herren Hickingbotham has led the TCBY frozen-yogurt store franchise in meeting one of its purposes, "to return a portion of the blessings received from our local community back to that community."

Since April 1982, Hickingbotham has been the executive vice president and a board member of TCBY Enterprises, the publicly owned holding company of TCBY Systems Inc. He is the operator of the largest soft-serve yogurt franchise in the United States.

Hickingbotham coordinated various systemwide promotional efforts which allowed TCBY to raise \$250,000 in 1986 and \$350,000 in 1987 for United Cerebral Palsy.

TCBY also has been associated with the Heart Association, Easter Seals and Arkansas Children's Hospital.

Hickingbotham was selected for membership in the Young President's Organization, a noted international group of distinguished presidents.

TCBY grew in a relatively short time. Since franchising in 1982, the company has opened more than 800 stores in 49 states and internationally. TCBY's performance was noted in many publications including *Venture, Restaurants & Institutions, Business Week* and *Entrepreneur*.

Hickingbotham, 30, lives in Little Rock, Arkansas, with his wife, Virginia.

SHEILA HOLZWORTH

Sheila Holzworth was already active in athletics at 7. Although she was blinded at 10, she since has opened the eyes of millions to the capabilities of the handicapped. In fact, she began a career that would make her world-famous.

She lettered in sports in high school and college. She learned to read Braille, an accomplishment culminating in an interdisciplinary degree from Central College, Pella, Iowa.

In 1979, she was named "Most Courageous Athlete" in the North Bank 10-kilometer running race in Phoenix, Arizona. In 1981, the International Year of the Disabled, she was one of 11 disabled people selected to attempt a climb of Mount Rainier, Washington. She was one of nine to make it, and the only blind woman. For this came national acclaim, a commendation by the U.S. House and Senate, and a White House reception.

She began competitive skiing in 1982. In 2 years she won five gold medals in World Cup and Olympic competition for the disabled in Leysin, Switzerland, and Innsbruck, Austria. Now she is a senior claims operations coordinator for the Principal Mutual Life Insurance Co. in Des Moines, Iowa.

"I like to show that being blind doesn't mean you're useless," Holzworth said. "I just hope that what I'm doing will help other blind people realize their potential."

Her dedication also is noted by the elderly. She has helped raise money, do housework and serve meals for them. She even adopted two elderly sisters.

Holzworth, 27, lives in Des Moines.

MICHAEL LAMB, SR.

Michael Lamb, Sr.'s accomplishments early in his career foreshadowed the many contributions he would make to the Air Force and others in his life.

Early in his military career, he enlisted in the Air Force in computer repair and ground radar. He graduated from his technical school with honors and became a certified technician in minimum time at Charleston Air Force Station (AFS) in Maine, where he was known as a division expert.

Later, he was accepted at the University of Arizona, Detachment 20. There he was diagnosed with Hodgkin's Disease, and he faced immediate retirement from the Air Force. But he argued to remain on active duty and won the decision.

He was sent to Vandenberg Air Force Base (AFB) in California and worked for the 6595th Missile Test Group, At F.E. Warren AFB, Wyoming, he helped maintain 200 missile systems. Today he is a program engineer in research and test development with B-52 bombers at K.I. Sawyer AFB, Michigan.

While at the University of Arizona, he designed and successfully tested an electronic anesthesia monitor using his Apple computer as the baseline equipment. This design was incorporated on a larger computer to provide data about a patient undergoing surgery. His work was cited in *Time* and *Apple* magazines.

Lamb earned many Scouting awards. He received the 1988 National Courage Award

from President Ronald Reagan at the White House, Reagan cited Lamb's example to the community and nation while successfully fighting cancer.

Lamb, 35, and his wife Sharon live at K.I. Sawyer AFB with their seven children: Mike Jr., Robert L. II, Donald, Kristofer, Sara, Tara, and Kara.

LAYN PHILLIPS

Layn Phillips, a U.S. judge for the Western District of Oklahoma, has worked as a public servant for more than one-third of his life.

As a U.S. attorney in Tulsa, and the youngest U.S. attorney in the country, he handled more drug-related continuing criminal enterprise cases than Los Angeles. His record paralleled those of Miami, Florida, and New York.

He has used the forfeiture feature of U.S. Code Title 21, relating to property purchased with drug-related funds. Consequently, he has brought millions of dollars in property and cash into the U.S. Government's coffers.

Phillips has been a leader in motivating grass-roots units to combat drugs at any level. He was in constant demand to speak about drugs to groups and graduation classes and at law-enforcement gatherings.

As a U.S. attorney, he succeeded in a famous white-collar crime case involving the prosecution and conviction of two people on 17 counts of mail fraud, tax evasion, and concealment of foreign bank accounts. Because the two were well-known, many believed they would never be brought to trial, let alone convicted.

Phillips has taken unusually tough and courageous stands against litigation abuse. He has spoken to lawyer groups concerning the filing of frivolous lawsuits, the increasing costs of litigation, and delay-oriented tactics often used by unethical lawyers.

Phillips, 37, and his wife, Kathryn, live in Oklahoma City with their children, Amanda and Parker.

RONALD SOLAR

After receiving his doctorate, Ronald Solar began work in the cardiac pacemaker industry, designing smaller and longer-lasting pacemakers. In 1980, he switched to the cardiovascular-device industry which led to his development of less-invasive ways to treat heart disease.

One method helps fight atherosclerosis which blocks blood flow to the heart muscle and leads to chest pain, heart attack, and death. The method involves a "balloon catheter" to open the blocked arteries. The process, done under local anesthesia, requires only a tiny puncture in the groin to induce the catheter.

A heart attack is certain with atherosclerosis, but the treatment can push the clot aside. If blood flow can be restored quickly enough, heart attack can be reversed.

Also in 1980, Solar began teaching Sunday School at his temple, and he became an active Jaycee. Today, he is the California Jaycees chaplain.

In 1985, he formed his own company to develop a new type of catheter. Two and one-half years later, the company sold for \$95 million, and today Solar leads the Research and Development division of the merged company.

Solar's research on implant devices led to changes in materials used, processing techniques and device designs. He helped research with a team that discovered bone growth can be stimulated and controlled by electricity.

Solar, 37, and his wife Vickie live in San Diego with their children, Mara and Max.

JEANA YEAGER

Jeana Yeager established 18 aviation records in her decade of flying. She is an accomplished commercial and engineering draftsman with background in energy, aerospace and other businesses.

For several years she was involved in engineering and administration for Robert Truax's Project Private Enterprise, aimed at developing a reusable spacecraft for the private sector.

But since March 1981, she has devoted herself exclusively to help build, test, and fly the Voyager aircraft. Consequently, she was the first woman to make the first non-stop, non-refueled flight around the world.

Yeager also managed the critical organization of the ground support and office staff for Voyager, including the grass-roots funding effort for Voyager Impressive People or VIP Club.

President Reagan gave her the Presidential Citizen's Medal for her achievements with Voyager.

From the Paris Aero Club, she received the Grande Medallion and the Medaille de Vile Paris. These awards were presented to Charles Lindbergh.

Before she became interested in flying Yeager pursued skydiving and sailing. She also is an expert horse rider and trainer.

Yeager, 35, lives in Nipomo, California. ●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the latest budget scorekeeping report for fiscal year 1989, prepared by the Congressional Budget Office in response to section 308(b) of the Congressional Budget Act of 1974, as amended. This report was prepared consistent with standard scorekeeping conventions. This report also serves as the scorekeeping report for the purposes of section 311 of the Budget Act.

This report shows that current level spending is over the budget resolution by \$0.9 billion in budget authority, and over the budget resolution by \$0.4 billion in outlays. Current level is under the revenue floor by \$0.3 billion.

The current estimate of the deficit for purposes of calculating the maximum deficit amount under section 311(a) of the Budget Act is \$135.7 billion, \$0.3 billion below the maximum deficit amount for 1988 of \$136 billion.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 10, 1989.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of congressional action on the budget for fiscal year 1989 and is current through April 7, 1989. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the most recent budget resolution, House Congressional Resolution 268. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, and

meets the requirements for Senate scorekeeping of section 5 of Senate Congressional Resolution 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, Congress has taken no action that affects the current level of spending or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CBO WEEKLY SCOREKEEPING REPORT FOR THE U.S. SENATE, 101ST CONG., 1ST SESS., AS OF APR. 7, 1989

(In billions of dollars)

	Current level ¹	Budget resolution H. Con. Res. 268 ²	Current level +/— resolution
Fiscal year 1989			
Budget authority.....	1,233.0	1,232.1	.9
Outlays.....	1,100.1	1,099.8	.4
Revenues.....	964.4	964.7	— .3
Debt subject to limit.....	2,764.3	2,824.7	— 60.4
Direct loan obligations.....	24.4	28.3	— 3.9
Guaranteed loan commitments.....	111.0	111.0	—
Deficit.....	135.7	136.0	— .3

¹ The current level represents the estimated revenue and direct spending effects (budget authority and outlays) of all legislation that Congress has enacted in this or previous sessions or sent to the President for his approval and is consistent with the technical and economic assumptions of H. Con. Res. 268. In addition, estimates are included of the direct spending effects for all entitlement or other mandatory programs requiring annual appropriations under current law even though the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

² In accordance with sec. 5(a)(b) the levels of budget authority, outlays, and revenues have been revised for Catastrophic Health Care (Public Law 100-360).

³ The permanent statutory debt limit is \$2,800.0 billion.

⁴ Maximum deficit amount (MDA) in accordance with section 3(7)(d) of the Congressional Budget Act, as amended.

⁵ Current level plus or minus MDA.

PARLIAMENTARIAN STATUS REPORT 101ST CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL, FISCAL YEAR 1989 AS OF CLOSE OF BUSINESS APR. 7, 1989

(In millions of dollars)

	Budget authority	Outlays	Revenues
I. Enacted in previous sessions:			
Revenues.....			964,434
Permanent appropriations and trust funds.....	874,205	724,990	
Other appropriations.....	594,475	609,327	
Offsetting receipts.....	— 218,335	— 218,335	
Total enacted in previous sessions.....	1,250,345	1,115,982	964,434
II. Enacted this session: Adjust the purchase price for nonfat dry dairy products (Public Law 101-7).....			
		— 10	
III. Continuing resolution authority.....			
IV. Conference agreements ratified by both Houses.....			
V. Entitlement authority and other mandatory items requiring further appropriation action:			
Dairy indemnity program.....	(²)	(²)	
Special milk.....	4		
Food Stamp program.....	253		
Federal crop insurance corporation fund.....	144		
Compact of free association.....	1	1	
Federal unemployment benefits and allowances.....	31	31	
Worker training.....	32	32	
Special benefits.....	37	37	
Payments to the Farm Credit System.....	35	35	
Payment to the civil service retirement and disability trust fund ¹	(85)	(85)	
Payment to Hazardous Substance Superfund ¹	(99)	(99)	
Supplemental security income.....	201	201	
Special benefits for disabled coal miners.....	3		
Medicaid:			
Public Law 100-360.....	45	45	
Public Law 100-485.....	10	10	
Family support payments to States:			
Previous law.....	355	355	

PARLIAMENTARIAN STATUS REPORT 101ST CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL, FISCAL YEAR 1989 AS OF CLOSE OF BUSINESS APR. 7, 1989—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Public Law 100-485.....	63	63	
Veteran's compensation COLA, Public Law 100-678.....	345	311	
Total entitlement authority.....	1,559	1,121	
VI. Adjustment for economic and technical assumptions.....	-18,925	-16,990	
Total current level as of April 7, 1989.....	1,232,979	1,100,103	964,434
1989 budget resolution H. Con. Res. 268.....	1,232,050	1,099,750	964,700
Amount remaining:			
Over budget resolution.....	929	353	
Under budget resolution.....			266

¹ Interfund transactions do not add to budget totals.

² Less than \$500 thousand.

Note.—Numbers may not add due to rounding.●

THE CALIFORNIA COURIER

● Mr. WILSON. Mr. President, I rise today to salute the California Courier, a weekly newspaper published in the city of Glendale, which celebrated its 30th anniversary last month.

The Courier holds the distinction of being the oldest independent English-language newspaper serving the Armenian community in the United States. For three decades, the pages of this publication have traced the remarkable story of the Armenian-Americans—a community that has made both the culture and the economy of southern California vibrate with prosperity and imagination.

At the same time, the Courier firmly stands as a witness to repression, constantly reminding its fortunate readers that their Soviet kin need a strong voice of advocacy in the United States. As a result, Mr. President, the Courier blends together two important themes of our Nation's ethnic tapestry: an appreciation of the liberties offered by an adopted America, and a sense of obligation to the men and women who remain in their land of birth, keeping their heritage alive despite the hostility of government.

I have no doubt, Mr. President, that under the leadership of its current editor and publisher, Harut Sassounian, the Courier will continue for another 30 years the vital task of educating its audience on the issues which will shape both the identity and the future of Armenian-Americans. I am therefore honored to inform the Senate of the Courier's anniversary, and to congratulate the newspaper's staff for its devotion and civic activism.●

WATER PROJECTS IN ARKANSAS

● Mr. PRYOR. Mr. President, on April 4, I testified before the Senate Appropriations Subcommittee on Energy and Water Development about a number of important water projects in my State. I ask that my statement before the subcommittee be printed in the RECORD at this point.

The statement follows:

STATEMENT OF SENATOR DAVID PRYOR, SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, COMMITTEE ON APPROPRIATIONS, U.S. SENATE, APRIL 4, 1989

Mr. Chairman, it is my great honor and privilege to appear before this committee for the eleventh consecutive year as the representatives of the Red River Valley Association, the Ouachita River Valley Association, and the Lower Mississippi River Valley Flood Control Association present their public testimony in support of various programs of public works improvements of the federal government. I understand that our friends from the Arkansas River Basin Interstate Committee will appear before you on Thursday.

The Fiscal Year 1990 budget for the Army Corps of Engineers' civil works program is going to be affected, as it has so often in the recent past, by that old bug-a-boo, the federal deficit. Our friends and supporters from Arkansas, Louisiana, Mississippi, and Oklahoma, who are here today, understand this fact of life very well. It continues to affect their way of life as a result. This is one reason why they choose to come to Washington every year to tell us their story, and ask the Congress to be sympathetic to their needs as we wrestle with the nation's financial crisis.

RED RIVER VALLEY

Mr. Chairman, you, more than anyone else associated with this Committee, know the needs that exist in the Red River Valley. Mr. John Stroud, representing the Arkansas interests in the Red River Valley, will present to you a detailed list of projects for which we are requesting the Committee's attention.

The number one priority for Arkansans in the southwest corner of our state continues to be the Red River Emergency Bank Protection project, for which the group asks \$4,000,000 in FY 90. I probably receive more constituent interest in the serious erosion that afflicts the Red River in Arkansas than any other river related problem from that area. I hope the Committee can continue its support of this valuable program, which greatly influences agriculture.

There are a number of studies, all important to Red River, that need the Committee's attention. The Red River Basin Comprehensive Study is most important. Mr. Stroud will testify to the need for funding for continuation of preconstruction planning on the Red River Waterway, Shreveport to Index, Arkansas and the Red River Bank Stabilization project, Index, Arkansas to Denison Dam, Texas.

HELENA HARBOR

This year will witness the ground-breaking for the Helena Harbor project. This project is one of the most important projects to Arkansas and its economic development in many years. This committee saw fit last year to provide the necessary funding for design of this project, and directed the Army Corps of Engineers to be prepared to commence construction in Fiscal Year

1989. The reports I have indicate that the Corps is on schedule for that, and now is the time for the Committee to provide the next step in the funding process.

No project in my State enjoys a higher priority. The creation of the Mississippi Delta Commission will ensure that forward looking projects such as this one will be the cornerstone of economic recovery in this region.

WEST MEMPHIS FLOOD CONTROL

Mr. Chairman, last year I testified to the tremendous need that exists in the City of West Memphis for a measure of flood protection. It was never more apparent than during the flooding that followed the devastating tornado that hit the town and killed six persons in December of 1987. I saw the damage firsthand.

As I discussed last year the Water Resources Development Act of 1986 authorized the construction of channel improvements on the Ten and Fifteen Mile Bayous that traverse Crittenden County and affect flood conditions in West Memphis. The Act also provided a way for the Federal government to participate in this project without completely devastating the West Memphis city budget.

I am attaching a copy of the Army Corps of Engineers latest fact sheet on this project for the Committee's use. As you can tell from this there have been numerous meetings and the public liaison has been positive. However, if you read between the lines, you can also tell that there has been no construction outside of that the city has initiated on its own. In short, we are not close on getting a local cost-share arrangement for this \$23 million project, which has a high 1.7 benefit-cost ratio.

Mr. Chairman, I hope that this Committee will take stock of this situation in West Memphis, and seek some kind of accommodation with the Corps. What you are witnessing here will happen to a small town in your State someday. The ability to pay will become the overriding factor in that town's quest for stability and growth, and once again, we will separate rich from poor. The people of West Memphis are prepared to cost-share up to the limit of their ability.

OUACHITA RIVER NAVIGATION

I continue to support the completion of the Ouachita-Black River Navigation system. We will not have a working system until the final phase of the project is complete in northern Louisiana and southern Arkansas. I know, Mr. Chairman, that you support the project also, and I can only urge that both States follow through with the last of the local responsibilities, i.e. the rights-of-ways necessary for the construction.

ARMY CORPS OF ENGINEERS RECREATION SITES

The Army has created quite a stir in Arkansas with the announcement of certain budget cuts that will affect recreation at our many lakes. Tourism is the number two industry in Arkansas, and outdoor water related sports are vital to a healthy economy in so many areas. I cannot overemphasize the importance of maintaining these recreation sites. It is hard to imagine that our nation would fund the construction of so many of these public access areas, and watch while they are either closed or allowed to deteriorate. It makes no sense to the taxpayer.

The Corps officials in Arkansas tell me they plan to close no recreation sites, but maintenance will be reduced, severely in

some cases. Nevertheless, the public is rightfully concerned. I understand and appreciate the need to reduce government spending, but I want to make sure it is done in a way that truly reflects our national priorities. Even though recreation may sound like it would not ordinarily be a top priority, I can assure you that jobs and economic vitality are priority number one.

I urge this Committee to stay close to the funding for recreation sites issue. It is certainly a closely watched issue in Arkansas.

ARKANSAS RIVER BASIN

On Thursday, Mr. Wally Gieringer, Executive Director of the Pine Bluff-Jefferson County Port Authority, will present testimony relevant to the needs that exist in the Arkansas River Basin. As you undoubtedly know, Mr. Chairman, we have had a problem in recent years with low water during the summer months at the lower end of the Arkansas River navigation system. The Army Corps of Engineers has been studying solutions, and it is important that these studies continue. I support the concepts expressed in Mr. Gieringer's statement, and I hope the Committee will carefully consider his recommendations.

Thank you Mr. Chairman for this opportunity to appear before this Committee with my fellow Arkansans.

FACT SHEET

1. Project: West Memphis, Arkansas and Vicinity.

Program Manager; Durley McLarty, Ex. 3346.

Project Manager; Bethany Patterson, Ex. 3460.

2. Authorization/Purpose:

a. WRDA of 1986.

b. The purpose of this study is urban flood control.

3. Location:

East Central Arkansas.

Crittenden and St. Francis Counties, Arkansas.

From stream mile 10.3 on Fifteen Mile Bayou to the confluence of Ten Mile Bayou to West Memphis, Arkansas.

4. Description:

Urban areas—West Memphis—1980 population 28,138; 2245 structured affected by 100-year flood.

Rural basin—45 miles long—20 miles wide (324 square mile drainage area).

Primary problem is biennial flooding in the urban area and yearly damage to agricultural production.

Authorized plan of improvement consists of: 23.86 miles of channel improvement on Ten and Fifteen Mile Bayous; Restrictive easements and limited revegetation program; Provide 10-year degree of protection in urban and rural areas.

Estimated construction cost is \$23,400,000 (Oct. 88 prices).

B/C ratio is 1.7.

5. Status:

Project authorized by WRDA of 1986.

ASA(CW) to OMB—22 April 1988.

Funds provided and PED initiated 27 July 1988.

Existing needs and problems are being assessed.

Monthly coordination meetings are being held with local interests.

Project: West Memphis, Arkansas and Vicinity.

6. Costs:

Oct. 88 prices

Estimated Study Cost \$1,100,000

Costs thru FY 88..... 462,000

	Oct. 88 prices
Allocation FY 89	500,000
Balance to Complete	138,000

7. Special Considerations: Congressman Bill Alexander of Arkansas and local officials, including Mayor Keith Ingram, were briefed on the project on 27 February 1987, and on 8 January 1988. Meetings to discuss project implementation were held with local officials on 12 January, 3 February and 2 August 1988. Monthly meetings are scheduled with engineers for the City of West Memphis and drainage district.

The City of West Memphis has developed a pumping station plan to complement the Corps plan which will provide protection for some of the most severely flooded areas in the city. Phase I of the plan includes three pumping stations and has an estimated cost of \$5.7 million excluding LERRD costs. Phase II of the plan includes two additional pumping stations which are currently estimated at \$2.6 million. A comprehensive plan combining work proposed by both the Corps and West Memphis is needed to provide long term relief to the area.

A meeting with the West Memphis City Engineer was held on 13 February 1989 to discuss credit under Section 215 of the Flood Control Act of 1968 for the pumping stations and the possibility of adding the pumping stations to the Corps plan.

8. Local Sponsor:

City of West Memphis, AR.

Drainage District No. 2 of Crittenden County.

Drainage District No. 6 of Crittenden County.

Crittenden County.●

URANIUM REVITALIZATION AMENDMENTS

● Mr. WALLOP. Mr. President, I am pleased to join with my colleague from New Mexico, Senator DOMENICI, in submitting the Uranium Revitalization Amendments of 1989 as amendment No. 10 to the bill S. 83. These amendments are the latest incarnation of legislation we have developed over several Congresses. We have developed and refined our proposal. It is an excellent package, and I am hopeful that it will finally become public law.

What are we trying to achieve? We are simply seeking to preserve an industry vital to both our national defense and national energy needs. The uranium mining industry provides the basic material for building nuclear fuel rods and nuclear devices. Nuclear fueled powerplants account for 20 percent of our electric energy production. Nuclear weapons remain the backbone of our deterrence and defense forces. The Federal Government is intimately involved in both activities. The fact is that the Federal Government has, and does, own many of the processing and production facilities, such as the uranium enrichment plants. Without a viable uranium mining and milling industry, which is totally private, our ability to meet national energy and defense needs over the long term could be impaired.

Over the past 5 years, the Secretary of Energy has been required to do an

annual assessment of the viability of the uranium industry. And, to no one's surprise, the Secretary has declared that the industry is nonviable. The industry's problems stem from two sources. First, contrary to optimistic projections just 10 years ago, the demand for powerplants using nuclear fuels has stagnated. This is a result of the slowdown in demand for electricity, and the long, costly procedure a utility must go through to build a nuclear plant. The second problem is the competition U.S. producers face subsidized foreign production.

We do need a viable uranium mining industry. Recently, much concern has been expressed over global warming. It appears to be one of the hot topics in the 101st Congress. One sensible response to this phenomenon is to increase the use of nuclear power which does not produce carbon dioxide as a waste gas. We also need a viable industry because foreign producers will not sell uranium to the United States for defense purposes.

It is erroneously assumed that we can let the industry shutdown, and then revive it when demand escalates. This is the old boom and bust philosophy that has saddled the Western mineral producing States with such rocky economies. But, we cannot simply close down a mine, and reopen it several years later. Reopening a mine is an expensive and time consuming project that is not always successful. A more sensible policy would be to take action now to maintain a productive uranium industry. That is the intent of the legislation we are introducing today.

My State of Wyoming is a major producer of uranium ore. We have gone from an industry employing thousands to an industry that currently employs a handful of workers. But, it is an industry that is hanging on. New supply contracts have recently been signed, and my State's producers are confident they can compete in a tough world market—which is all we are proposing today.

As I previously explained, this amendment is the result of years of work and refinement. The original version had three parts. The first title was an excise fee on foreign produced uranium brought into the United States for enrichment for use in domestic powerplants. The intent was to ensure that U.S. ore could compete with subsidized foreign production. The second title dealt with the funding and procedure for cleaning up existing uranium mill tailings sites. The third title established a new public corporation to run U.S. uranium enrichment facilities.

In the last Congress, we sought to enact this legislation with administration support as part of the process for adopting the United States-Canadian

Free Trade Agreement. The FTA was flawed in that no action was taken to remove Canadian Government subsidies to its uranium mining industry. The Canadians would have unlimited access to our market at the same time that our domestic uranium industry was declared nonviable and the Federal courts were requiring the Energy Department to impose the 161(v) sanctions against foreign imports.

The sponsors of the Uranium Revitalization Act undertook extensive discussions with Treasury, OMB, and Energy Department officials over the content of our legislation. As a result, we significantly revised title I. Rather than an import fee, we switched to a required purchase policy whereby domestic users would purchase a set amount of domestic ore over the next few years. This procedure would allow more efficient loading for enrichment and reduce energy costs for that process. The net affect of the new title would be to allow the uranium mining industry to get back on its feet while producing a more cost efficient U-235 fuel product for our nuclear powerplants.

The amendment we are introducing today incorporates the revised title I and the old title II of the Uranium Revitalization Act. Since the Government-owned enrichment corporation is the subject of S. 83, the bill we are amending, this title was dropped from our amendment.

The Senate did pass our proposal in the last Congress. We believe we can move this bill through the House and have it signed by the President. Our amendment is important to our national security, and I urge my colleagues to support our efforts.●

GREEK INDEPENDENCE DAY

● Mr. METZENBAUM. Mr. President, March 25, 1989, marked the 168th anniversary of the Greek struggle for independence from the Ottoman Empire. The importance of this great day is unmistakable: Greece gave the world its first example of democratic government and it is only fitting that Greeks themselves live in freedom. Over its several-thousand-year existence, Greece has fallen under the influence of a number of foreign conquerors. Greek cultural identity has never been compromised, however.

The true meaning of cultural sovereignty can only be realized through national sovereignty. Greeks have fought and died more than once to gain and preserve their independence, and they are rightfully proud of their heritage. The Greek war of independence against the Sultan lasted 8 long years. Greeks fought courageously against Nazi occupiers in World War II. In the immediate postwar period, many more Greeks gave their lives to defeat the Communist insurgency.

Greeks around the world truly have good reasons to celebrate independence.

Greek-Americans are in a particularly good position to appreciate the painful price of democracy and independence. Both their homeland and their adopted home fought costly wars of independence and subsequent wars to maintain their freedom. The special relationship between Greece and the United States runs deeper than this, however. The Founding Fathers of this country looked to ancient Greece for a model as they established a democracy in the new world, and Greek art and architecture provided the aesthetic basis for Western culture. Greek patriots likewise drew upon the American Revolution and the Declaration of Independence during their struggle to overthrow hundreds of years of foreign domination.

Mr. President, we should all be thankful for the contributions that Americans of Greek descent have made to our country. One American of Greek lineage recently made an outstanding contribution to the continuing great democratic tradition of our two countries, as the Democratic Party's nominee for the Presidency. I am particularly proud of the Greek-American community in Ohio, which is actively involved in preserving its own culture while playing an important role in the community at large.

Mr. President, I congratulate Greek-Americans, and Greeks around the world for the ongoing example of freedom and independence they set.●

MICHIGAN UNIVERSITY MEN'S BASKETBALL NCAA VICTORY

● Mr. LEVIN. Mr. President, on Wednesday, the University of Michigan's basketball team which won the NCAA Men's Basketball Championship will be visiting Washington. The people of Michigan are proud of their team's success. Their representatives in Washington look forward with great pride to welcoming the Wolverines on Wednesday.

I ask that the following articles which appeared after the great victory be printed in the CONGRESSIONAL RECORD.

The articles follows:

[From Detroit Free Press, Apr. 4, 1989]

A-MAIZING BLUE, 80-79—ROBINSON'S FREE THROWS IN OT GIVE U-M ITS FIRST NCAA TITLE

(By Steve Kornacki)

SEATTLE.—Rumeal Robinson had it all before him. Win, lose or draw—it depended on his free throws with three seconds left.

The first tied the game at 79-79. He thrust a fist high, smiling. The second also hit nothing but net, and made Michigan the national college basketball champion Monday night at the Kingdome, 80-79.

The Wolverines (30-7) beat Seton Hall (31-7) in the first overtime title game since

1963. They won their first NCAA Tournament title under interim coach Steve Fisher.

Robinson's routine of shooting 100 free throws after practice paid off in a big way. He had become angry with himself after missing the free throws that cost Michigan a 71-68 loss at Wisconsin Jan. 21.

And so Robinson bit his lip after that game, using no alibis. He knew what had to be done. He had to work harder on the simplest part of the game.

But the Pirates had a chance to steal his glory. A chance was all, though.

Daryll Walker's 20-foot shot off the glass followed a three-quarter-court pass from Ramon Ramos. The shot never hit the rim and Walker walked off the court, eyes welling in tears. Teammate Andrew Gaze patted him on the head.

Meanwhile, Sean Higgins was pounding the hardwood for joy in a prone position. Everyone was hugging everyone.

Robinson finished with 21 points. Glen Rice scored 31, giving him 2,442 points and making him the Big Ten's career scoring leader.

Rice had a chance to fulfill his lifelong dream of hitting a winning shot at the buzzer in college. But his jumper from the top of the key swirled off the rim, and Daryll Walker rebounded for Seton Hall as the buzzer sounded the end of regulation.

Rice gave Michigan a 69-68 lead with 58 seconds left. It was a stunning shot from the left of the key, and silenced a Seton Hall run.

Rice set an NCAA Tournament record with 184 points, breaking the record set by the legendary Bill Bradley, who scored 177 points for Princeton in 1965.

Higgins put the Wolverines up, 71-68, with two free throws with 34 seconds to go.

John Morton (35 points) answered with a no-hesitation three-pointer 10 seconds later to tie the score at 71.

It wasn't nip-and-tuck earlier in the half. Seton Hall had the Wolverines right where they wanted them midway through the second half. U-M had a 51-39 lead, but quickly began playing not to lose. The Pirates have a way of doing that to teams.

The Hall limited its first five NCAA Tournament opponents to 51-for-153 shooting (.333) in second halves, and let the wind out of a lot of big sails down the stretch.

Morton scored six straight in the Pirates' run of eight unanswered points. Two of the buckets came off fast breaks. Seton Hall cut it to two points twice.

Michigan pulled away again, 66-61, but Morton yanked them right back. He hit two fast-break baskets off turnovers to cut it to one, and penetrated for the short shot that gave the Pirates a 67-66 lead with 2:31 remaining.

The Wolverines opened the second half with a 14-6 run. Robinson's reverse, two-hand slam off a baseline buzz through the big trees electrified the Kingdome crowd of 39,187.

But the Wolverines did as much with highlight-film footage as with teamwork.

Early in the second half, Rice saved a ball going out of bounds along the Pirates' baseline with a backward flip. Robinson caught it and shouted, "Here we go, Lo!" He dribbled up court and fired to Loy Vaught near the lane. Vaught dropped it off to Terry Mills for an easy slam.

Michigan didn't have anyone with more than one foul in the first half. That limited Seton Hall to only four free throws; the Pirates never got in the bonus situation. And more importantly, U-M kept totally out of

foul trouble against a physical, defensive team.

The Wolverines had a 37-32 lead at the half, as Robinson (14 points) and Rice (13) established themselves as the offensive threats. They took 19 of U-M's 30 shots before intermission.

Rice also limited Gaze, who averages 13.8, to two points and sparked several fast breaks with defensive rebounds.

Robinson scored most of his points on acrobatic moves to the hoop.

Seton Hall was able to stay with Michigan in the early going by penetrating and powering the ball inside to Ramos and Walker.

Guards Gerald Greene and Morton hit back-to-back three-pointers as exclamation points to a 12-point run that made it 26-20 for the Pirates. They combined for 18 first-half points.

The Wolverines also had a six-point lead, 20-14, as every starter contributed points early.

HAVE WE MET?

Each team looked at the other and was reminded of its conference nemesis.

Seton Hall players thought Michigan resembled Big East champion Georgetown and Syracuse. The Orangemen beat the Pirates three times this season.

The Wolverines saw similarities between Seton Hall and Indiana or Illinois, Big Ten teams against whom U-M was 1-4 this season.

"Their athletes are similar to those at Syracuse," Pirates guard Gerald Greene said. "Sherman Douglas and Rumeal Robinson are very much alike. But Michigan has a much better perimeter shooting game."

Center Ramon Ramos said: "They're like a combination of Georgetown and Syracuse. They are big and good like Georgetown. But they also are great athletes who play above the rim like Syracuse."

Robinson didn't take the comparison with Syracuse as a compliment.

"We have better players than Syracuse," Robinson said. "Syracuse just has athletes. We have 6-11 guys who can dribble, 6-7 guys who can shoot the lights out. We can give them problems."

Michigan guard Mike Griffin said: "Seton Hall is aggressive on defense like Indiana. They have great team defense and make it hard to punch the ball inside."

Higgins said: "They have the great half-court defense like Illinois."

MILLS ON FISHER

"I've never heard of an undefeated coach getting fired," forward Terry Mills said, referring to Fisher's 5-0 tournament record. He could become the first interim coach to win the NCAA championship.

[From Detroit Free Press, Apr. 4, 1989]

U-M'S INCREDIBLE TURNAROUND—PLAYERS AMAZED BY CHANGES

(By Johnette Howard)

SEATTLE.—Plenty of drama already had been played out by the time the University of Michigan and Seton Hall University met in Monday night's NCAA championship basketball game.

But even if, a few days from now, the Wolverines' names had disappeared from the sports pages, the discoveries they made in the last few weeks about themselves, let alone about playing basketball, were evident before the title game was over.

And most of the revelations were things you never shake. The change that came over the U-M players after the departure of

former coach Bill Frieder was "incredible even to us," said forward Loy Vaught.

To U-M interim coach Steve Fisher, the striking thing has been the intensity his players brought to the six tournament games, the way they suddenly listened, pulled together and admitted maybe they hadn't done as much as they could have before. Then they went out in the tournament, and Fisher said, get a "lesson that we could play harder than we probably knew we could."

Guard Rumeal Robinson has been struck by the super-heated atmosphere of U-M's tournament run, the ever-present threat of being eliminated at every juncture and U-M's ability to shrug off the pressure every step of the way—acknowledging only the excitement and thrill of going further than they ever had before.

"I feel that every game we've played in the NCAA has been a championship game," Robinson said before Monday's game. "But the feeling I have is still up in the air. Playing for the national championship, it's more than just a boyhood dream. It's more like looking forward to riding your first bike, but you can't ride it until morning comes."

For center Terry Mills, a phoenix in U-M's tournament story, the metamorphosis from a potential champion to a championship team has been a lesson about what's really important. At times, Mills said, the question a player must ask himself is whether he wants to win games or assure himself that he stars in them.

Somewhere along the line in these last three weeks, winning began to obscure everything else. Then, suddenly, it didn't matter anymore if U-M players were asked to get 10 rebounds or 10 points or set 10 screens for star forward Glen Rice. When you win, everything feels good just the same.

"I feel it's been a mistake to judge me and Loy by how many points we're getting now because we're doing other things that we need to win," Mills said. "When you've got a man shooting the ball like Glen Rice or Sean Higgins or Rumeal Robinson, you'll just about give up your body for them—do anything to set a screen, whatever, to get them open."

Before each tournament game, Fisher and assistants Mike Boyd and Brian Dutcher talked to each U-M player individually to outline what his role would be. For Higgins, the sixth man who won the semifinal game over Illinois with a last-second follow shot, the orders for that game were to play a hard, all-around game whether his shot was falling or not. It paid off with the basket Higgins called "a dream come true."

"Coach Fisher had told me all year that shots like that come off the weak side, so I just put myself in position to get the rebound," Higgins said. "I finally listened."

For Vaught, who owned the second-best field-goal percentage in the country, the job has been putting scoring aside in some games—like that Illinois showdown Saturday—and hording enough rebounds for U-M to win.

And Vaught responded with a career-high 16—12 in the first half.

"We knew rebounding would be the key to that game, and I just made a commitment to myself to get every rebound there was," Vaught said Sunday.

Along the way, there was something fortifying to the Wolverines about setting their minds to a goal and pulling it off. Soon—quickly—this U-M team began to feel as if it could do anything. It began to feel powerful.

"Against Illinois, me, Terry and Glen knew we all had to play great games," said Mark Hughes, a 6-foot-8 senior reserve. "And we just said we were going to do it—we're not going to let them have alley-oop baskets; we're not going to let them have second shots; we're not going to let them beat us on dribbles and drives to the hoop. We just got together and said, 'We're going to do it.'"

For Rice, who always visualizes that his shots will fall in without fail anyway, that also meant feeling so invincible that even a twanging hamstring wouldn't slow him down. Not now.

"I just feel I can't be physically hurt right now," Rice said after the victory over Illinois. "I just feel so much strength."

And if, heading into Monday's game, Rice was justly proud of what Michigan had done to come this far, he said: "No, I'm not impressed yet. As soon as we win the national championship, I'd be impressed then."

[From USA Today, Apr. 4, 1989]

OUTSTANDING PLAYER RICE SETS RECORD, CREDITS TEAM

(By Debbie Becker)

SEATTLE.—With a team-high 31 points and 11 rebounds in the championship game, Michigan's Glen Rice was named Most Outstanding Player of the 51st NCAA Final Four.

Rice also broke the NCAA tournament record of 177 points set by Princeton's Bill Bradley in 1965. Bradley's record came in five games. Rice's 184 points came in six games.

The 6-7 senior from Flint, Mich., broke the record with 5:59 left in the game when he sank a three-pointer, giving Michigan a 64-59 lead.

"It's a great individual achievement," Rice said. "But if you know the type of person I am, I have to give credit to my teammates and the coaches because without them this wouldn't be possible."

Rice was 5-of-12 from three-point range. But with the game tied 71-71, he missed from 18 feet as time ran out, sending the game into overtime.

"I was surprised I missed it because I was very much open," Rice said. "When I released the ball, I really felt like it was going in."

Still, Michigan interim coach Steve Fisher had nothing but compliments for Rice. Asked to describe his star, Fisher said, "It's almost indescribable. He's done more for Michigan—and not just these six games but for a career—than any other player. There is no finer shooter in college basketball than Glen Rice."

"He's a tremendous player. The way he plays—that effort in practice as well as games—carries over to everyone on this team."

But perhaps the happiest person in the Kingdome Monday night wasn't on the court but in the stands—Rice's mother, Ernestine.

"It feels so good," she said. "I can't describe it. If only I could bottle it up and keep it. All our prayers have been answered."

[From the New York Times, Apr. 5, 1989]

RUMEAL COULD HANDLE IT

(By George Vecsey)

SEATTLE.—Pressure? This was a young man who had sat crying in his grandmother's

house on the island of Jamaica, "wishing I had a mother."

Pressure? This was a young man who had come to the Boston area at the age of 6, and briefly lived on the street until he was adopted at the age of 10.

Pressure? This was a young man who had competed outdoors in the rugged Port district of Cambridge, Mass., playing a game called New York. When you lined up to shoot a foul shot, almost any distraction was fair game.

Pressure? This was a young man who had carried the stigma of being a Proposition 48 failure and not allowed to play as a college freshman.

On Monday night, Michigan gave the ball to Rumeal Robinson, who, after all, has been carrying the ball for most of his 21 years.

He was the best part of the Final Four long before he sank those two foul shots with 3 seconds remaining to allow Michigan to hold off courageous Seton Hall, 80-79, in overtime.

Glen Rice was the outstanding player because of that soft jump shot that gave him the nickname of Rain. But Robinson and Ramon Ramos of Seton Hall, the Big East basketball scholar-athlete of the year, were added reminders that not a few of these players are students, too.

As a freshman, Robinson was forced to stay away from the varsity gym and the training tables and the long trips. He became a civilian, a college student, and he talks like one.

But he is also one whiz of a player, a reluctant point guard who would rather be a shooter, a 6-foot-2-inch leaper who performed a baseline, two-handed over-the-head reverse stuff early on Monday, then sank two foul shots with the whole nation watching.

Rumeal Robinson does not know the origin of his first name because his parents did not stay around to explain it. He remembers the freedom of the beach in Jamaica, the sense of other children looking after him, but he wanted a mother, and so when he was 6, his grandmother put him on an airplane to let him try living with his mother.

By the age of 10, he was on the street, for reasons he does not volunteer. In the current crack generation, he could have been recruited as a courier or a warrior, but he was rescued from the street by Louis and Helen Ford, who fed him, loved him, and adopted him.

Robinson became a star in high school, but an unspecified learning disability helped make him ineligible under the new Proposition 48.

"I thought Prop 48 worked great for me," Robinson told the waves of reporters. "It gave us a chance to wind down and concentrate on our studies. Most freshmen players don't have the chance to socialize."

"There is nothing wrong with Prop 48 itself," he added, "but there is a cultural bias in the testing. You'd get a question like, 'What is a regatta?' How many black kids are going to know that?"

"Some of the standards are based on kids sitting around at supertime talking with their families. We were not prepared from first grade for that kind of test, and not all schools are the same. We were like guinea pigs."

He passed his freshman year easily, and will be graduated one semester early, next December, but will stick around for his senior season. He does not flinch when he

discusses playing in the same league with Isiah Thomas and Magic Johnson, nor does he flinch about talking about writing poetry or owning an art gallery some day.

Some thought Robinson might be hurt when Bill Frieder was dismissed as head coach because he had accepted another job at Arizona State, but Robinson knows the difference between abandonment and business.

"My high school coach left after my junior year," he said, "but I could understand it. You've got to better yourself in this world."

He knows a bit about that. Robinson missed two foul shots with 4 seconds left in a loss at Wisconsin this season. For the next month, he reported to practice an hour early, and shot 100 foul shots.

Last Saturday, his adoptive mother and baby brother were in attendance, while Louis Ford was plucked off his mail route and placed on a jet, courtesy of one Mr. Goldstein he has never met. The father arrived shortly after Michigan had defeated Illinois, but there was more to come.

On Monday night, Michigan was trailing by 1 point with 9 seconds left. Robinson drove downcourt and stuck out his elbows and his hips, trying to make contact with Gerald Greene, his old adversary from New York.

The call could have gone either way, but it went to Robinson. Seton Hall called an extra timeout to rattle him, and Robinson understood that game.

"This was my childhood dream," he said later. "Standing on the line with two foul shots. You never miss in your dreams."

[From the Wall Street Journal, Apr 5, 1989]

WOLVERINES SPOIL THE CINDERELLA STORY

(By Frederick C. Klein)

SEATTLE.—It is commonly held that the weather never changes in the Emerald City, but four days here have shown me otherwise. Sometimes it rained hard, sometimes lightly. Sometimes it was windy and rainy and sometimes it was calm and rainy. Sometimes it rained while the sun shined.

Recent NCAA basketball tournament finals have varied similarly. Sometimes they are close and high-scoring. Sometimes they are close and low-scoring. Sometimes they are close and in between.

We got one of the last class in the Kingdome here Monday night, with Michigan an 80-79 overtime winner over Seton Hall on Rumeal Robinson's two free throws with three ticks left. The statistical-minded might note that the one-point victory margin was a trifle slim even for these affairs, the eight-year average being 2.9 points.

What we have here is U.S. sports' most competitive annual event, an equal-parts outgrowth of the game's geographic and temporal ubiquity in this land (30 days hath September, all the rest have basketball, someone wrote) and the heedless bravery of youth. "When I took the ball down court at the end, I wanted the shot. I didn't want to just pass it and hide," said hero Robinson of the late dash that put him, and the game, on the line in the dying seconds.

And there, waiting for him, was his buddy, skinny forward Sean Higgins, with some foxhole humor. "I told him that I'd made my free throws [giving Michigan its last two points in regulation play] and now it was his turn," Higgins smiled later. "I thought he'd enjoy hearing that."

The man who probably enjoyed the outcome the most was Steve Fisher, whose

Michigan coaching status might have been unique in NCAA (for Nobody Comes out Ahead Alot) hoops annals. He was an assistant to Bill Frieder, who'd signed on to coach at Arizona State when the regular season ended. Frieder had hoped to lead his team into the tourney anyway, but instead was given a very brief period to clean out his desk. Thus, the three-week, six-game championship grind served as an elaborate job audition for Fisher.

The soft-spoken 44-year-old's fate is in the hands of Bo Schembechler, Michigan's football field marshal and athletics director. Bo has been cagey on the subject, but it now seems his options will be limited when he finally removes his spiked helmet to scratch his head over the matter. "I never heard of an unbeaten coach getting fired," noted Terry Mills, the Wolverine center.

Fisher maintained throughout, no doubt correctly, that coaching is overrated in this playground-spawned game, but he deserves at least some credit for the trophy his team took home to Ann Arbor. For the past several years, talent-heavy Michigan had been a pre-season title choice of many, but a playing-floor disappointment. Even this season it managed to lose seven of 31 regular-campaign games and finish third in the Big Ten, at times looking like its collective mind was elsewhere.

"We didn't always play as well as we should," allowed Glen Rice, the quick-triggered shooter who led Michigan scorers with 31 points on Monday and a record 184 for the tourney. "Coach Fisher didn't make a log of changes, but he got on the starters for making mistakes just like he did with the other guys. He treated everyone alike. Coach Frieder didn't always do that."

But if coaching even-handedness contributed to Michigan success, so did its size. Indeed, both members of Monday night's Terminal Two matchup were represented by considerable lads, boasting NBA height numbers like 6-8, 6-9 and 6-10 across their front lines. They had some NFL numbers, too, like 230, 240 and 250, as in pounds. "Size is important," said Lou Henson, whose smaller Illinois team fell to Michigan, 83-81, in a semifinal that presaged the main event. Ol' Lou has never been loath to state the obvious.

Illinois had beaten Michigan twice during the regular season by outscraping and out-leaping the Wolves, but on Saturday Michigan did what it was supposed to have done all along, which was go inside effectively. Seven of its last eight baskets were from within spitting distance of the hoop and the clincher, with two seconds left, came when the 6-foot-8 Higgins vaulted over Illinois's 6-6 Nick Anderson to put back a rebound.

Seton Hall, a Catholic school in South Orange, N.J., had similarly mistreated its five pre-final tournament foes, hammering such name brands as Indiana, Nevada-Las Vegas and Duke by an average of 15 points a game. If these guys were the go-around's Cinderella team, they were Cinderellas in size 14 sneakers. "They were stronger than we were. They wore us out," said Duke coach Mike Krzyzewski after his gang was outscored, 62-40, in the second half and beaten, 95-78, in Saturday's other semi.

Against Duke, the Hall rallied from a 26-8 first-half deficit. Against Michigan, it fell behind by less—12 points—but later. Only 14 minutes remained when Robinson, at 6-foot-2 Michigan's only true guard, awed the multitude with an over-the-head stuff that gave his mates a 51-39 lead.

Seton Hall had spent most of the first half popping ineffectually from beyond the three-point line, but in half two it got back to basics. Guards John Morton and Gerald Greene snaked through the tall guys to the hoop, getting bruises and free throws for their trouble or passing off to their big-brother forwards. The Pirates went ahead, 67-66, on a Morton drive with two minutes left but were passed again and needed his three-pointer to tie at 71 when regulation play ended.

The Pirates took a 76-76 edge in the overtime period, and twice had the ball with chances to increase that margin. They couldn't, and a 10-footer by the 6-10 Mills and the free throws by Robinson put Michigan up.

Three nervous seconds remained as Seton Hall put the ball in play for a last heave, but two kids on the floor—Michigan's Mike Griffin and the Pirates' Andrew Gaze—had time for a joke. "I asked him if he was going to take the last shot," Griffin reported. "He said he doubted it. We both laughed." Darryl Walker fired from 22 feet, missed, and that was all for the Hall.●

ORDERS FOR TUESDAY, APRIL 11, 1989

(The following orders were entered earlier and appear at this point in the RECORD by unanimous consent.)

RECESS UNTIL 11:30 A.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

stand in recess until 11:30 a.m. tomorrow, Tuesday, April 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I further ask unanimous consent that, following the time for the two leaders tomorrow, there be a period for morning business not to extend beyond 12:30 p.m. with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS FROM 12:30 P.M. TO 2:15 P.M.

Mr. MITCHELL. Mr. President, I further ask unanimous consent that on tomorrow the Senate stand in recess from 12:30 p.m. to 2:15 p.m. to accommodate the respective party luncheon caucuses.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11:30 A.M. TOMORROW

Mr. DIXON. Mr. President, if the distinguished Republican leader has no further business, and I am advised by staff on his side that he does not, and if no Senator is seeking recognition, and my view of the floor. Mr. President, indicates that none is seek-

ing further recognition, I ask unanimous consent on behalf of the distinguished majority leader that the Senate stand in recess, under the previous order, until 11:30 a.m. on tomorrow, Tuesday, April 11.

There being no objection, the Senate, at 4:48 p.m., recessed until tomorrow, Tuesday, April 11, 1989, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Secretary of the Senate April 7, 1989, under authority of the older of the Senate of January 3, 1989:

INTERNATIONAL BANKS

RICHARD THOMAS MCCORMACK, OF PENNSYLVANIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK OF RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF 5 YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF 5 YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF 5 YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; AND UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; VICE W. ALLEN WALLIS, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JAMES O. MASON, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE ROBERT E. WINDOM, RESIGNED.

U.S. INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

FREED M. ZEDER II, OF NEW YORK, TO BE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE CRAIG A. NALEN, RESIGNED.

HOUSE OF REPRESENTATIVES—Monday, April 10, 1989

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, that we can speak to one another words of goodness and kindness, of understanding and peace. And yet, gracious God, teach us not only to say these good words with our lips, but encourage us to believe them in our hearts and to practice them in our daily lives. This is our prayer. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas [Mr. FROST] lead us in the Pledge of Allegiance

Mr. FROST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 102. Joint resolution to designate April 1989 as "National Recycling Month";

H.J. Res. 112. Joint resolution designating April 23, 1989, through April 29, 1989, and April 23, 1990, through April 29, 1990, as "National Organ and Tissue Donor Awareness Week"; and

H.J. Res. 173. Joint resolution to designate April 16, 1989, and April 6, 1990, as "Education Day, U.S.A."

The message also announced that pursuant to Public Law 100-690, the Republican leader appoints Mr. COCHRAN and Mr. COATS, as members of the National Commission on Drug-Free Schools.

APPOINTMENT AS MINORITY MEMBERS OF SELECT COMMITTEE ON AGING

The SPEAKER. Pursuant to the provisions of clauses 6 (f) and (i) of rule X, the Chair appoints as minority members of the Select Committee on

Aging the following Members of the House:

Mr. RINALDO of New Jersey;
Mr. HAMMERSCHMIDT of Arkansas;
Mr. REGULA of Ohio;
Mr. SHUMWAY of California;
Ms. SNOWE of Maine;
Mr. TAUKE of Iowa;
Mr. COURTER of New Jersey;
Ms. SCHNEIDER of Rhode Island;
Mr. RIDGE of Pennsylvania;
Mr. SMITH of New Jersey;
Mr. BOEHLERT of New York;
Mr. SAXTON of New Jersey;
Mrs. BENTLEY of Maryland;
Mr. LIGHTFOOT of Iowa;
Mr. FAWELL of Illinois;
Mrs. MEYERS of Kansas;
Mr. BLAZ of Guam;
Mr. HENRY of Michigan;
Mr. SCHUETTE of Michigan;
Mr. SPENCE of South Carolina;
Mr. CLINGER of Pennsylvania;
Mrs. MORELLA of Maryland;
Mrs. SAIKI of Hawaii;
Mr. PORTER of Illinois;
Mr. DUNCAN of Tennessee; and
Mr. STEARNS of Florida.

APPOINTMENT AS MINORITY MEMBERS OF SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The SPEAKER. Pursuant to the provisions of section 303, House Resolution 84, 101st Congress, the Chair appoints as minority members of the Select Committee on Narcotics Abuse and Control the following Members of the House:

Mr. COUGHLIN of Pennsylvania;
Mr. GILMAN of New York;
Mr. OXLEY of Ohio;
Mr. PARRIS of Virginia;
Mr. SENSENBRENNER of Wisconsin;
Mr. DORNAN of California;
Mr. LEWIS of Florida;
Mr. INHOPE of Oklahoma;
Mr. HERGER of California;
Mr. SHAYS of Connecticut; and
Mr. PAXON of New York.

APPOINTMENT AS MEMBER OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER. Pursuant to the provisions of clause 1 of rule 48, and clause 6(f) of rule 10, the Chair appoints to the Permanent Select Committee on Intelligence the gentleman from California [Mr. DORNAN] to fill the existing vacancy thereon.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN PREAMBLE IN ENGROSSMENT OF HOUSE RESOLUTION 119, CONGRATULATING LOS ANGELES DODGERS ON THEIR 1988 WORLD SERIES VICTORY

Mr. LEVINE of California. Mr. Speaker, I ask unanimous consent that in the engrossment of the resolution (H. Res. 119) congratulating the Los Angeles Dodgers on their 1988 World Series victory, the preamble be corrected by substituting "Oakland Athletics" for "New York Mets" and "New York Mets" for "Oakland Athletics."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ESTABLISHING ORDER OF MEMBERSHIP ON HOUSE ADMINISTRATION COMMITTEE

Mr. MICHEL. Mr. Speaker, by direction of the Republican conference, I offer a privileged resolution (H. Res. 123) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 123

Resolved, That the order of membership on the House Administration Committee shall be as follows: Mr. Thomas of California; Mr. Dickinson of Alabama; Mr. Gingrich of Georgia; Mrs. Vucanovich of Nevada; Mr. Roberts of Kansas; Mr. Gillmor of Ohio; Mr. Hiler of Indiana; and Mr. Walsh of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REGARDING CONSULATE IN LENINGRAD: HAVE THE RUSSIANS REALLY CHANGED THEIR WAYS?

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, recent news reports about the bugging of our consulate in Leningrad lead me to one conclusion, the Russians really have not changed their ways. If Mr. Gorbachev changes anything in that closed society, he must end the offensive Soviet practice of trying to put listening devices in everything in the Soviet Union. If the winds of change are truly blowing in Russia, those winds should sweep away the thou-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

sands of electronic listening systems that the KGB has installed over the years in foreign embassies, homes, apartments, and everywhere else in that country.

I was shocked to learn over the weekend that Soviet agents had succeeded in bugging yet another United States facility in the U.S.S.R. The U.S. consulate in Leningrad reportedly has been penetrated by a listening system. The KGB has been monitoring the conversations of our diplomats there since 1973.

While I commend the professionalism of the State Department technicians who located that microphone system, now is the time to end that agency's practice of allowing foreign construction firms to build our embassies.

If glasnost and perestroika mean anything in the Soviet Union, they should mean putting an end to the total bugging of that society. I believe that the Soviet people are tired of fearing that their every word will be overheard by some KGB technician.

Now is the time, Mr. Gorbachev, to drive out the bugs once and for all.

WETLANDS NO NET LOSS ACT OF 1989

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BENNETT. Mr. Speaker, today I am introducing comprehensive national wetlands legislation, the Wetlands No Net Loss Act of 1989, which addresses the growing problem of wetlands loss.

In a letter to Louisiana State Senator Ben Bagert, Jr., dated October 20, 1988, President George Bush, then Vice President and Presidential candidate, emphatically stated his views on the issue of wetlands loss:

I share your concern about wetland erosion and congratulate you on your hard work to increase both public and governmental awareness of this issue. [***] My own view is that wetlands are a tremendously valuable resource—as a habitat for fish and waterfowl, as a flood control device, and as a natural filter which helps create clean water. I have pledged a new national goal: no net loss of wetlands. We have been losing wetlands at a rate of half million acres a year, and we must protect what remains.

My bill, which is based upon the widely acclaimed final report of the National Wetlands Policy Forum entitled "Protecting America's Wetlands: An Action Agenda," fulfills the intent of President Bush's stated goal and brings it into legislative reality.

The purposes of the Wetlands No Net Loss Act of 1989 are threefold. They are to:

First, achieve President Bush's stated goal of no overall net loss of the remaining wetlands resource base of

the United States, as defined by acreage and function;

Second, restore and create wetlands, and, where feasible, to increase the quality and quantity of the wetlands resource base; and

Third, promote, in concert with other Federal and State programs, conservation of wetlands to maintain the aesthetic, economic, and environmental benefits they provide.

In order to attain these goals, five major provisions have been incorporated into this bill. These provisions include provisions to:

First, authorize the creation of non-profit Wetlands Preservation Trusts that would acquire wetlands and former wetlands areas for the purpose of restoring, creating, or preserving these areas;

Second, encourage States to take an active role in the acquisition and preservation of wetlands areas;

Third, establish the Office of Wetlands Identification and Preservation within the U.S. Fish and Wildlife Service;

Fourth, require that all Federal agencies conduct an inventory of the wetlands areas owned or managed by each agency and the preparation of a management plan for the preservation and enhancement of these areas; and, importantly, to

Fifth, provide funding through existing revenue sources, therefore it would not require the appropriation of additional monies.

Comprehensive wetlands legislation is desperately needed if we are to preserve these areas for future generations. I hope my colleagues will join as cosponsors of this bill to implement the President's stated goal. Furthermore, I hope the various committees with jurisdiction will hold early hearings on this. Noble words are nice; action is better.

I submit for the RECORD a copy of the bill and a section-by-section analysis of the bill.

SECTION-BY-SECTION ANALYSIS OF THE WETLANDS NO NET LOSS ACT OF 1989

SECTION 1

Short Title: Wetlands No Net Loss Act of 1989.

SECTION 2

States the importance of wetlands areas and the reasons why comprehensive wetlands legislation is needed.

States the purposes of the Act:

(1) to achieve President Bush's stated goal of no overall net loss of the remaining wetlands resource base of the United States, as defined by acreage and function;

(2) to restore and create wetlands, and, where feasible, to increase the quality and quantity of the wetlands resource base; and

(3) to promote, in concert with other Federal and State programs, conservation of wetlands in order to maintain the aesthetic, economic, and environmental benefits they provide.

SECTION 3

Authorizes Wetlands Preservation Trusts. These trusts would acquire ownership of wetlands and former wetlands areas (either by donation or land exchange) for the purpose of restoring, creating, or preserving these areas.

SECTION 4

Amends the tax laws to make donation of wetlands areas (to Wetlands Preservation Trusts) more economically and financially beneficial. Requires that wetlands donations to Wetlands Preservation Trusts be considered as charitable contributions.

SECTION 5

Encourages States to prepare State Wetlands Conservation Plans in which they should:

(1) determine the location and extent of the wetlands areas within their boundaries; and

(2) establish a State Wetlands Conservation Policy consisting of general policies and principles of acquisition and management of these wetlands areas. States must show that they have adequate authority to implement the State Wetlands Conservation Plan before that Plan can be approved by the Secretary of the Interior.

Establishes a Wetlands Preservation Account in the U.S. Treasury, which would be funded through revenues obtained from:

(1) fines for violations of Section 309(c) of the Federal Water Pollution Control Act concerning dumping of dredge spoil on wetlands, and

(2) a transfer not less than 1/4 of the amounts in the Land and Water Conservation Fund.

Authorizes the Secretary of the Interior to provide grants from this account to States for implementation of the State Wetlands Conservation Plans that meet the prescribed requirements and for State acquisition of critical wetlands areas.

SECTION 6

Directs the Office of Technology Assessment to conduct a study of the incentives for wetlands preservation under current Federal and State laws, modifications of these laws to make the incentives more effective, and ways to encourage State and local government involvement in creating additional incentives.

SECTION 7

Establishes the Office of Wetlands Identification and Preservation within the U.S. Fish and Wildlife Service to be funded by the Wetlands Preservation Account established by this Act. Its primary responsibilities will include:

(1) identifying wetlands areas suitable for preservation and acquisition by States, by the Federal Government, or by Wetlands Preservation Trusts; and

(2) carrying out title III of the Emergency Wetland Resources Act of 1986 (Federal acquisition of critical wetlands areas).

SECTION 8

Requires that all executive agencies conduct an inventory of the wetlands areas owned or managed by each agency and prepare a management plan for the preservation and enhancement of these areas (in accordance with the national policy set forth in this bill).

SECTION 9

Transfers authority to issue permits for the discharge of dredge and fill material from the Secretary of the Army through

the Corps of Engineers to the Secretary of the Interior through the Office of Wetlands Identification and Preservation.

SECTION 10

Definition of terms. The key definition is of wetlands, which are defined as

"* * * land that has a predominance of hydric soils and that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions."

This will ensure that all Federal agencies are in agreement on what constitutes a wetland.

H.R. 1746

A bill to promote the conservation and enhancement of wetlands and to offset or prevent the loss of wetlands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Wetlands No Net Loss Act of 1989".

SEC. 2. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) Wetlands play an integral role in maintaining the quality of life through material contributions to our national economy, food supply, water supply and quality, flood control, and fish, wildlife, and plant resources, and thus to the health, safety, recreation, and economic well-being of all our citizens of the Nation.

(2) Wetlands provide habitat essential for the breeding, spawning, nesting, migration, wintering, and ultimate survival of a major portion of the migratory and resident fish and wildlife of the Nation (including migratory birds, endangered species, commercially and recreationally important finfish and shellfish, and other aquatic organisms) and contain many unique species and communities of wild plants.

(3) Wetlands enhance the water quality and water supply of the Nation by serving as groundwater recharge areas, nutrient traps, and chemical sinks.

(4) Wetlands provide a natural means of flood and erosion control by retaining water during periods of high runoff, thereby protecting against loss of life and property.

(5) Wetlands, which constitute only 5 percent of the land area of the United States, are estimated to have been reduced by more than 50 percent in the contiguous States since the founding of the United States and continue to disappear at a rate of between 300,000 and 450,000 acres each year.

(6) Certain activities of the Federal Government and State governments have inappropriately altered or assisted in the alteration of wetlands, thereby unnecessarily stimulating and accelerating the loss of these valuable resources and the environmental and economic benefits that they provide.

(7) The existing Federal, State, and private cooperation in wetlands conservation should be strengthened in order to minimize further losses of these valuable areas and to assure their management in the public interest for this and future generations.

(b) PURPOSE.—The purpose of this Act is to establish a national wetlands protection policy—

(1) to achieve no overall net loss of the remaining wetlands resource base of the

United States, as defined by acreage and functions;

(2) to restore and create wetlands, where feasible, to increase the quality and quantity of the wetlands resource base; and

(3) to promote, in concert with other Federal and State programs, conservation of wetlands in order to maintain the aesthetic, economic, and environmental benefits they provide.

SEC. 3. DESIGNATION OF WETLANDS PRESERVATION TRUSTS.

The Secretary shall designate a nonprofit organization to be a Wetlands Preservation Trust for purposes of this Act if the organization—

(1) is established for the purpose of—

(A) acquiring ownership interests in wetlands, former wetlands, and associated real property; and

(B) restoring, creating, or preserving wetlands;

(2) meets such requirements as may be established by the Secretary; and

(3) submits an application for such designation in accordance with such procedures as may be established by the Secretary.

SEC. 4. TAX TREATMENT OF DONATIONS OF LAND TO WETLANDS PRESERVATION TRUSTS.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by adding at the end thereof the following new paragraph:

"(6) SPECIAL RULES FOR CONTRIBUTIONS OF LAND TO WETLANDS PRESERVATION TRUST.—

"(A) IN GENERAL.—In the case of a charitable contribution by an individual of wetlands to a Wetlands Preservation Trust—

"(i) 50 PERCENT LIMITATION TO APPLY.—Such contribution shall be treated for purposes of this section as described in subsection (b)(1)(A).

"(ii) 10-YEAR CARRYFORWARD.—Subsection (d)(1)(A) shall be applied by substituting '10 years' for '5 years' and with appropriate adjustments in the application of clause (ii) thereof.

"(iii) EXTENSION OF PERIOD FOR EXCHANGES.—If such contribution is made as part of an exchange to which section 1031 applies, paragraph (3) of section 1031(a) shall be treated as met if the property to be received in the exchange is received by the taxpayer not later than the date which is 3 years after the date on which the taxpayer transfers the property relinquished in the exchange.

"(B) UNUSED DEDUCTION CARRYOVER ALLOWED ON TAXPAYER'S LAST RETURN.—If—

"(i) the taxpayer dies before the close of the last taxable year for which a deduction for a contribution to which subparagraph (A) applies could under subsection (d)(1) have been allowed, and

"(ii) any portion of the deduction for such contribution has not been allowed for any taxable year before the taxable year in which such death occurs,

then such portion shall be allowed as a deduction under subsection (a) for the taxable year in which such death occurs without regard to subsection (b).

"(C) DEFINITIONS.—For purposes of this paragraph—

"(i) IN GENERAL.—The terms 'wetlands' and 'Wetlands Preservation Trust' shall have the respective meanings given such terms by the Wetlands No Net Loss Act of 1989.

"(ii) LAND CONTRIBUTED TO CREATE WETLANDS, ETC., TREATED AS WETLANDS.—The term 'wetlands' includes land contributed for the

purpose of maintaining, enhancing, restoring, or creating wetlands."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions or gifts made after the date of the enactment of this Act in taxable years ending after such date.

SEC. 5. STATE WETLANDS PRESERVATION.

(a) PROVISION OF ASSISTANCE.—

(1) IN GENERAL.—The Secretary, acting through the Office of Wetlands Identification and Preservation established pursuant to section 3(e) of the Fish and Wildlife Act of 1956 (as added by this Act), may make grants from amounts in the Wetlands Preservation Account to each State which adopts a State Wetlands Conservation Plan that is approved by the Secretary under this section.

(2) USE BY STATES.—Amounts provided to a State in the form of a grant under this section shall be used to implement the State Wetlands Conservation Plan of the State approved by the Secretary pursuant to this section.

(3) PREFERENCE FOR CERTAIN STATES.—In making grants under this subsection the Secretary shall give preference to any State having a State Wetlands Conservation Plan which provides for any preservation or enhancement of wetlands which the Secretary considers to be important for carrying out the purposes of this Act.

(b) APPROVAL OF PLAN.—

(1) IN GENERAL.—The Secretary may approve a State plan as a State Wetlands Conservation Plan for purposes of this Act if the plan—

(A) establishes a State Wetlands Conservation Policy, consisting of general policies and principles for acquisition and management of wetlands located in the State;

(B) identifies and describes all areas of wetlands, former wetlands, and associated uplands located in the State;

(C) describes degradation incurred by each such area;

(D) establishes management strategies for—

(i) reducing the causes of such degradation; and

(ii) preserving and enhancing the quality and quantity of those areas, including restoration of former wetlands;

(E) establishes a timetable for implementing the State Wetlands Conservation Policy, including a specific timetable for implementing a management strategy for each of those areas; and

(F) provides adequate authority to each State agency responsible for implementing the plan to ensure such implementation.

(2) TREATMENT OF SMALL AREAS OF WETLANDS.—(A) The Secretary shall not approve a plan as a State Wetlands Conservation Plan under this section if the plan—

(i) excludes any area of wetlands in the State from administration under the plan solely on the basis of that area being less than a specified minimum size; or

(ii) does not include for administration under the plan all areas of wetlands in the State the preservation of which is of any significance for achieving the purpose of this Act.

(B) A State may consolidate small areas of wetlands in the State with other areas of nonadjacent wetlands in the State having similar characteristics for purposes of a State Wetlands Conservation Plan under this section.

(3) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act,

the Secretary shall issue regulations which establish requirements and procedures for submission of plans for approval as State wetlands Conservation Plans under this section.

SEC. 6. OFFICE OF WETLANDS IDENTIFICATION AND PRESERVATION.

(a) **ESTABLISHMENT AND FUNCTIONS.**—Section 3 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742b) is amended by adding at the end of the following:

"(e)(1) The Director shall establish the Office of Wetlands Identification and Preservation within the United States Fish and Wildlife Service.

"(2) The Director, acting through the Office of Wetlands Identification and Preservation, and in consultation with the Army Corps of Engineers, the Bureau of Reclamation, the Soil Conservation Service, the Federal Highway Administration, the Tennessee Valley Authority, the Minerals Management Service, the National Park Service, the National Forest Service, and the National Marine Fisheries Service, shall—

"(A) identify all wetlands and associated uplands in the United States which are suitable for preservation, by acquisition or other means, by States, by the Federal Government, or by Wetlands Preservation Trusts designated by the Secretary of the Interior under section 3 of the Wetlands No Net Loss Act of 1989;

"(B) produce maps depicting lands identified under subparagraph (A) and make such maps available to the public; and

"(C) carry out title III of the Emergency Wetland Resources Act of 1986 (16 U.S.C. 3921-3923).

"(3) The Director, acting through the Office of Wetlands Identification and Preservation, may enter into agreements with private persons under which the Director and such persons shall cooperate to identify opportunities for preserving wetlands and to carry out such preservation. Such agreements may include providing for—

"(A) transfer of wetlands, through sales, exchanges, and donations, to Wetlands Preservation Trusts designated under section 3 of the Wetlands No Net Loss Act of 1989; and

"(B) provision of technical assistance to owners of wetlands who enter agreements with the Director to manage those lands for the purpose of preservation and enhancement.

"(4) In this subsection, the term 'wetlands' has the meaning that term has in section 11(6) of the Wetlands No Net Loss Act of 1989."

(b) **CONFORMING AMENDMENT.**—Title III of the Emergency Wetland Resources Act of 1986 (16 U.S.C. 3921-3923) is amended by adding at the end the following:

"SEC. 306. SECRETARY DEFINED.

"In this title the term 'Secretary' means the Secretary of the Interior acting through the Office of Wetlands Identification and Preservation established in the United States Fish and Wildlife Service pursuant to section 3(e) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742(e))."

SEC. 7. WETLANDS PRESERVATION ACCOUNT.

(a) **ESTABLISHMENT.**—There is established in the Treasury an account to be known as the "Wetlands Preservation Account".

(b) **CONTENTS.**—The Account consists of—

(1) amounts deposited into the Account by the Secretary of the Treasury under subsection (d); and

(2) amounts transferred to the Account by the Secretary of the Treasury under subsection (e).

(c) **USE.**—Subject to appropriations, of amounts in the Account—

(1) not less than 60 percent of such amount shall be available for use by the Secretary for providing grants to States under section 5; and

(2) the remainder shall be available for use by the Secretary of the Interior for purchasing wetlands and interests in wetlands under section 304 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3922).

(d) **DEPOSITS OF PENALTIES UNDER FEDERAL WATER POLLUTION CONTROL ACT.**—The Secretary of the Treasury shall deposit into the Account amounts received after the date of the enactment of this Act—

(1) in the form of criminal penalties under section 309(c) of the Federal Water Pollution Control Act (33 U.S.C. 1319(c)) for violations of conditions or limitation in a permit issued under section 404 of that Act;

(2) in the form of a civil penalties under section 309(d) of that Act (33 U.S.C. 1319(d)); and

(3) in the form of a administrative penalties under section 309(g) of that Act (33 U.S.C. 1319(g)).

(e) **TRANSFERS FROM LAND AND WATER CONSERVATION FUND.**—Not later than October 1 of each year the Secretary of the Treasury shall transfer \$300,000,000 to the Account from amounts in the Land and Water Conservation Fund established by section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary from amounts in the Account—

(1) not more than 60 percent of such amounts for each of the fiscal years 1990, 1991, 1992, 1993, and 1994, for providing grants to States under section 5; and

(2) not more than the remainder of such amounts for purchasing wetlands and interests in wetlands under section 304 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3922) for each of the fiscal years 1990, 1991, 1992, 1993, and 1994.

SEC. 8. INVENTORY AND MANAGEMENT OF GOVERNMENT-OWNED WETLANDS.

(a) **INVENTORY OF WETLANDS.**—Not later than 1 year after the date of the enactment of this Act, the head of each executive agency shall complete inventorying all wetlands and associated uplands owned or managed by the agency.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act the head of each executive agency shall adopt and begin implementation of a plan for the protection, enhancement, and management of all wetlands and associated uplands included in the inventory conducted by the head under subsection (a).

(2) **CONTENT.**—A plan adopted under paragraph (1) shall include—

(A) identification and description of all areas of wetlands and associated uplands included in an inventory conducted under subsection (a);

(B) description of the degradation incurred by each of those areas;

(C) establishment of management strategies for—

(i) reducing the causes of such degradation; and

(ii) preserving and enhancing the quality and quantity of such areas; and

(D) establishment of a timetable for implementing such management strategies.

(3) **COOPERATIVE AGREEMENTS.**—In developing a management plan under this subsection,

the head of each executive agency shall consider including in such plan methods for managing wetlands under agreements with private entities.

(4) **SUBMISSION OF PLAN.**—Not later than 1 year after the date of the enactment of this Act, the head of each executive agency shall submit a plan adopted under this subsection to the head of the Office and to the Secretary.

SEC. 9. TRANSFER OF AUTHORITY TO ISSUE PERMITS FOR DISCHARGE OF DREDGE AND FILL MATERIAL: AUTHORIZATION OF DREDGING SUBJECT TO APPROVAL OF SECRETARY.

(a) **TRANSFER OF AUTHORITY.**—

(1) **IN GENERAL.**—Section 404(d) of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended to read as follows:

"(d) **SECRETARY DEFINED.**—In this section the term 'Secretary' means the Secretary of the Interior acting through the Office of Wetlands Identification and Preservation established in the United States Fish and Wildlife Service pursuant to section 3(e) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742b(e))."

(2) **CONFORMING AMENDMENTS.**—(A) Section 404(g) of the Federal Water Pollution Control Act (33 U.S.C. 1344(g)) is amended—

(i) in paragraph (2) by striking "the Secretary" and all that follows through "acting through"; and

(ii) in paragraph (3) by striking "the Secretary" and all that follows through "Service," and inserting "the Director of the United States Fish and Wildlife Service".

(B) Section 404(h)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(h)(1)) is amended in the first sentence by striking "by the Secretary" and all that follows through "Service," and inserting "by the Director of the United States Fish and Wildlife Service".

(C) Section 404(j) of the Federal Water Pollution Control Act (33 U.S.C. 1344(j)) is amended—

(i) in the second sentence by striking "and the Secretary" and all that follows through the end of the sentence and inserting a period; and

(ii) in the third sentence by striking "and the Secretary" and all that follows through "Service," and inserting a comma.

(D) Section 404(m) of the Federal Water Pollution Control Act (33 U.S.C. 1344(m)) is repealed.

(E) Section 404(q) of the Federal Water Pollution Control Act (33 U.S.C. 1344(q)) is amended by striking "Interior."

(b) **AUTHORIZING DREDGING SUBJECT TO APPROVAL OF SECRETARY.**—The Secretary of the Army shall not authorize any dredging of wetlands under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403) or any other law before that authorization is approved by the Secretary of the Interior.

SEC. 10. OFFICE OF TECHNOLOGY ASSESSMENT STUDY.

(a) **STUDY.**—The Director of the Office of Technology Assessment shall conduct a study of—

(1) all incentives under Federal and State law for the protection and management of wetlands;

(2) modifications which may be made to existing Federal laws to improve their effectiveness and coherence in creating such incentives and to increase the permanence of such protection; and

(3) ways in which the Federal Government may encourage State and local governments to create additional incentives for the

protection and management of wetlands by private individuals.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Technology Assessment shall report to the Congress and to the head of the Office of Wetlands Identification and Preservation the findings of the study conducted under subsection (a) and recommendations based on those findings for increasing incentives for wetlands preservation.

SEC. 11. DEFINITIONS.

In this Act.

(1) **ACCOUNT.**—The term "Account" means the Wetlands Preservation Account established by section 7(a).

(2) **HYDRIC SOIL.**—The term "hydric soil" means soil that, in its undrained condition, is saturated, flooded, or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation.

(3) **HYDROPHYTIC VEGETATION.**—The term "hydrophytic vegetation" means a plant growing—

(A) in water; or

(B) in a substrate that is at least periodically deficient in oxygen during a growing season as a result of excessive water content.

(4) **OFFICE.**—The term "Office" means the Office of Wetlands Identification and Preservation established pursuant to section 3(e) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742(e)), as added by this Act.

(5) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(6) **WETLANDS.**—The term "wetlands" means land that has a predominance of hydric soils and that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

(7) **WETLANDS PRESERVATION TRUST.**—The term "Wetlands Preservation Trust" means such a trust designated by the Secretary under section 3.

UNITED STATES MUST MOVE SWIFTLY TO SUPPORT AVRIL GOVERNMENT IN HAITI

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, it would appear that during the last week the forces similar to those which ended Haiti's quest for democracy through violent action in November 1987 have been trying to overthrow the government of Gen. Prosper Avril. It is probably no accident that the effort to overthrow Avril came soon after he restored Haiti's Constitution and just as he was moving to install a new, independent electoral commission to oversee elections. It was just such a commission, with the strong support of the Haitian people, which turned back the first effort in June 1987 to subvert honest elections.

Following last weekend's coup attempt General Avril appears to have made repeated efforts to negotiate a peaceful end to the split in the army.

He was not successful. But despite the difficulties he faced he pressed forward with a swearing in of electoral commission members. Obviously he concluded late yesterday that military action was necessary. It is my hope that when these military operations have ended we will be able to conclude that a decisive and final blow has been struck against those who oppose a transition to genuine democracy.

Certainly there will be those who are more skeptical than I am, and I remain skeptical, about whether or not the military actions of the last hours are truly a step forward. But now is not the time for the United States to be timid about support for President Avril who has repeatedly not only proclaimed his support for a genuine democracy but who has taken a series of concrete steps to achieve it.

Up until now the Haitian Army has been much more of an obstacle than a help to the Haitian people's aspirations for a better future. If that has now changed Haiti has a new opportunity to move forward and the United States may have a unique chance to help Haiti achieve the goals we have in common: democracy, respect for the dignity of each person, and full economic and social justice.

In my opinion the United States must move swiftly to signal strong and effective support for the Avril government. This remains a moment of grave danger. The Haitian Army is now extremely small and the enemies of democracy remain many and well organized. The Avril government will need to move quickly to assure the stability and security needed for the resumption of full political dialog a transition to a free and fairly elected civilian government just as rapidly as possible.

Should the Avril government seek security assistance at this point and President Bush agrees to provide it I would support it.

I believe the United States should move on an urgent basis to provide medical help for those injured in the fighting.

I believe more extensive economic assistance is also urgently called for. In recent weeks the administration has urged Congress to consider support for restoration of limited economic aid to the Avril government. I approve of such assistance and believe that President Avril has taken sufficient steps with the current provisions of law to justify an immediate resumption of aid. I would hope that at least \$5 to \$10 million in ESF could be made immediately available and that be followed as rapidly as possible with Public Law 480 agricultural commodities on a grant basis. Haiti's economic situation was rapidly growing more precarious before the events of the last few weeks and Haiti clearly will need substantial aid in the weeks and months ahead.

I know that neither the administration nor the Congress intends to provide any government in Haiti, or elsewhere, with a blank check. To the extent we firmly back General Avril now it is only with the conviction that Haiti's Government will continue to move swiftly in support of a democratic transition. Our aid must remain on a short leash. Any backsliding by the Haitian Government or military on the road to reform must be dealt with swiftly by the United States. We were double crossed once by General Namphy and we do not intend to permit that to happen again.

TENTH ANNIVERSARY OF TORNADO IN WICHITA FALLS, TX

(Mr. SARPALIUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARPALIUS. Mr. Speaker, 10 years ago today Wichita Falls was struck by an atomic bomb. Although it was not a real atomic bomb, it might as well have been. Ten years ago today the most devastating tornado in American history laid waste to 11 square miles of Wichita Falls and changed this northwest Texas city forever.

□ 1210

Winds in the tornado reached 250 miles per hour, and the twister expended more energy than the bomb that was dropped on Hiroshima. It killed 45 residents and injured more than 1,700 others. Six thousand homes were destroyed along with 360 businesses. In all, 20,000 were left homeless.

Mr. Speaker, the final bill for the tornado was \$360 million, by far the costliest single tornado in American history. Other cities would have been crippled forever in such a storm, but not the people of Wichita Falls. They joined hands together to rebuild their city and make it even better than ever it was before.

What concerns me now is that on the 10th anniversary of the storm, the national weather station and the Commerce Department actually are talking about eliminating the weather service station that is located there in Wichita Falls. That advanced warning system works so effectively in saving many lives, so I urge all of the Members here today to join me in remembering those lives which were lost on that day, 10 years ago today, and support our efforts in trying to keep that weather station open.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
April 6, 1989.

HON. JIM WRIGHT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 4:40 p.m. on Thursday, April 6, 1989 and said to contain two messages from the President in reference to the Panamanian National Emergency.

With great respect, I am,

Sincerely yours,

DONALD K. ANDERSON,
Clerk, House of Representatives.

REPORT CONCERNING NATIONAL EMERGENCY WITH RESPECT TO PANAMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-43)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

1. I hereby report to the Congress on developments since the last Presidential report of October 14, 1988, concerning the national emergency with respect to Panama that was declared in Executive Order No. 12635 of April 8, 1988. This report is submitted pursuant to section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), and section 204(c) of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)).

2. Since the last report of October 14, 1988, there has been one amendment to the Panamanian Transactions Regulations, 31 C.F.R. Part 565 (the "Regulations"), administered by the Office of Foreign Assets Control ("FAC") of the Department of the Treasury. Effective January 3, 1989, persons owing funds to the Government of Panama may apply for a specific license authorizing the crediting of the amounts owed, plus applicable interest, to a blocked reserve account on their books or with a commercial bank. These procedures are designed to serve as alternatives to payment of the amounts owed into a blocked account at the Federal Reserve Bank of New York (the "FRBNY"). At the same time, they will enable FAC to maintain a record of payments withheld from the Noriega/Solis regime. Any persons who have already made payments into the FRBNY and who wish to credit the funds instead to a blocked reserve or bank account may also apply for a license authorizing such a transfer.

With this report, I am enclosing a copy of the amendment to the Regulations, 54 *Fed. Reg.* 21 (Jan. 3, 1989).

3. FAC continues to monitor compliance with the Regulations and advise affected parties of their provisions. FAC is currently in the process of notifying by letter over 170 companies with subsidiaries in Panama of the latest amendment to the Regulations permitting the establishment of blocked reserve or bank accounts and advising them that they must either establish such an account on their books or with a commercial bank by license from FAC or transfer monies owed to the Government of Panama to the FRBNY. Information received from Panama indicates that certain U.S. firms with operations in Panama may have failed to withhold Panamanian taxes from employee paychecks in possible violation of the Regulations. FAC has notified the responsible corporate officers that a written explanation of company practices would be required. Responses are due in the near future.

4. The objective of Administration policy remains support for a return to civilian constitutional rule and the development of an apolitical military establishment in Panama. In furtherance of our policy, the Administration has imposed economic sanctions against the Noriega/Solis regime. Our judgment remains that the root cause of the current crisis is the fact that the Panamanian people have lost confidence in a political system widely perceived as corrupt, repressive, and inept. A genuine Panamanian resolution of the political crisis is necessary to restore confidence in the Panamanian economy, a precondition to the return of economic stability and growth in Panama. Accordingly, our efforts have been directed at supporting Panamanian efforts to resolve the underlying political crisis as rapidly as possible.

5. The expenses incurred by the Federal Government in the 6-month period from October 14, 1988, through April 1, 1989, which are directly attributable to the exercise of powers and authorities conferred by the declaration of the Panamanian national emergency are estimated at \$411,960, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Office of the Assistant Secretary for Enforcement, the Office of the Assistant Secretary for International Affairs, and the Office of the General Counsel), the Department of State, the Federal Reserve Board, the National Security Council, and the Department of Defense.

6. The policies and actions of the Noriega/Solis regime in Panama continue to pose an unusual and extraor-

dinary threat to the national security and foreign policy of the United States. I shall continue to exercise the powers at my disposal to apply economic sanctions against Panama as long as these measures are appropriate and will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

GEORGE BUSH.

THE WHITE HOUSE, April 6, 1989.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO PANAMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-44)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

(For message, see proceedings of the Senate on Thursday, April 6, 1989, at page S3445.)

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

MR. BONIOR. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1078.

The SPEAKER pro tempore (Mr. Frost). Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRIBUTE TO HON. BILL CHAPPELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BENNETT] is recognized for 60 minutes.

MR. BENNETT. Mr. Speaker, our beloved former Congressman, Bill Chappell, lost his battle with cancer March 30 and was buried April 4 in Kendrick near Ocala, FL. Many Members of Congress were in attendance at that funeral which occurred there and at Daytona Beach previously.

Mr. Speaker, all of us will miss him greatly. In reporting his death, the Florida Times-Union had almost a page of material about him and quoted the Speaker of the House and other prominent people whom he had served with in the Congress and in the State legislature praising the quality of his service.

The former speaker of the State house in Florida spoke, and he said that Bill was one of the greatest speakers Florida ever had. That is what our secretary of agriculture, Mr. Connor, said about him.

I think everybody who served with Congressman Chappell were impressed

by his dedication to national defense and his dedication to the environment. He was proud of both of those attainments and positions with regard to his life.

The Florida Times-Union editorial spoke of him and said:

The most eloquent testimony to the quality of Mr. Chappell's long career of public service is the fact that his constituents supported him often overwhelmingly so many times, 20 times in all.

Bill Chappell was a close personal friend of mine, and I admired him greatly. He served his country in the Navy, as we know, in World War II, and a reservist after it. He was a dedicated American patriot.

He served Florida as the speaker of the house, as I have already referred to, and as State prosecutor in Marion County. His most outstanding public service in the U.S. Congress was when he served 20 years in dedication to national defense and environmental matters.

Mr. Speaker, he was a powerful chairman of the Defense Subcommittee of the Committee on Appropriations of the House of Representatives. As such, he did much to strengthen the national defense of our country and provide for its security. Bill had a great career as an environmentalist, and I suppose last year his greatest attainment was the Timucuan ecological and historic preserve in northeast Florida, and before that the 70,000-acre Cape Canaveral National Seashore.

Time does not permit to outline all of his achievements, but one thing is clear, that we in Congress will miss him greatly and we express to his widow and children deepest sympathy.

All of us will miss him greatly. In reporting his death, the Florida Times-Union reported in part the following:

Former U.S. Rep. Bill Chappell, whose 36-year political career took him from the Marion County Courthouse to one of the most powerful positions on Capitol Hill, died early yesterday in Maryland following complications from bone cancer. He was 67.

Mr. Chappell had been undergoing treatment at the National Institutes of Health in Bethesda, Md.

His body will be flown to Florida on an Air Force jet for funeral services Tuesday in Daytona Beach and Ocala. He will be buried in his native Kendrick with full military honors.

Mr. Chappell, a Democrat, rose through the ranks in the House to become one of its most influential members on military affairs. He was chairman of a subcommittee of the House Appropriations Committee that controlled the \$300 billion Pentagon budget.

Only close friends knew he had cancer, but even they were unaware that it was life-threatening.

"If he knew he had bone cancer he knew he had a problem but he never let on to people like myself, who were his friends, that it wasn't something he wouldn't overcome, said Florida Agriculture Commissioner Doyle Conner.

U.S. Rep. Charles E. Bennett, D-Fla., who represented Jacksonville alongside Mr. Chappell and became one of his closest friends, called him "a magnificent American statesman and patriot."

"He fought for our country in war and was a leading legislator in Congress. He was a close personal friend of mine, and I believe I speak for all his many admirers in expressing deepest sympathy to his fine family," Bennett said.

House Speaker Jim Wright, who knew Mr. Chappell throughout his tenure in Congress, praised him as "an honorable man and a great legislator."

"He was a champion of a strong Navy, going all the way back to his days as naval aviator during World War II," Wright said.

Although Mr. Chappell led an active life as a career politician, he enjoyed living quietly in a lakefront cabin near Ocala, where he was born on Feb. 3, 1922.

He had diverse interests, including athletics. At the age of 64 he won a black belt in tae kwon do. He also loved jazz and served as honorary chairman of the Florida National Jazz Festival in Jacksonville.

Mr. Chappell was educated in Marion County public schools and at the University of Florida, where he earned a bachelor's degree in 1947, and a bachelor of laws degree in 1949. Later, he won honorary degrees from Embry-Riddle Aeronautical University, Flagler College and Bethune Cookman College.

After his World War II duty, he joined the Naval Reserve, from which he retired holding the rank of captain in 1983.

In 1944, Mr. Chappell married Marguerite Gutshall in Richmond, Va. They had four children before divorcing in 1984. In 1986, Mr. Chappell married Jeane McBurney, a former secretary in his congressional office.

Mr. Chappell was named a prosecutor in Marion County in 1950. Four years later, he was elected to the Florida House.

He quickly rose to prominence in the Legislature when it was dominated by North Florida conservatives known as the "Pork Chop Gang." From 1961 to 1963, he served as House Speaker.

"He certainly was one of the greatest speakers Florida ever had," said Conner, a former House speaker himself who served with Chappell.

In 1968, he won election to the U.S. House in the 4th District, covering parts of central and northeast Florida. By the 1980s, the district included Duval, St. Johns, Clay, Putnam, Flagler and Volusia counties.

In Congress, Mr. Chappell became known as a conservative, particularly on defense issues. He led House action to retain a manned-bomber option in the U.S. defense strategy and was a leader in the effort that added the long planned for fifth nuclear aircraft carrier to the Navy's fleet.

"When Congress had to make tough choices, Bill Chappell was the kind of man we wanted at the helm to make them," Wright said.

Mr. Chappell was proud of his support for environmental programs, especially the creation of the 70,000 acre Cape Canaveral National Seashore and the transfer of 10,000 acres into the Ocala National Forest.

Other local projects that Mr. Chappell helped spur include: the construction of the Cooper-Holt Manor and Pablo Towers elderly housing projects in Jacksonville Beach; the establishment of a Grumman Corp. facility in St. Augustine; and the inclusion of F-16s in the Florida Air National Guard inventory in Jacksonville.

The editorial page of the paper expressed the following eulogy:

BILL CHAPPELL'S VICTORIES ARE PROOF HE SERVED PUBLIC WELL

William V. Chappell ran 20 times for public office between 1950 and 1988. He won 19 of those elections. For almost all of his adult life, he served in public office.

Mr. Chappell, a Democrat, died Thursday of bone cancer at the National Institutes of Health in Bethesda, Md.

After his first election in 1950 as Marion County prosecuting attorney until he lost his U.S. House seat last November, Mr. Chappell was out of public office only two years, and that was the result of his voluntary and temporary retirement from the Florida House of Representatives, in which he was speaker from 1961 to 1963.

During his 14 years in the Florida House, he was instrumental in creating the Florida community college system and improving the state highway system.

In 1968, he ran for the U.S. House from the 4th Congressional District, and served 10 terms. He was chairman of the powerful Defense subcommittee of the House Appropriations Committee when he was defeated last year.

Mr. Chappell was doggedly independent on controversial issues. He persisted for years in his support of the Cross-Florida Barge Canal, even after environmentalists scored a nationally acclaimed victory in stopping its construction. But he fought for creation of the 70,000-acre Cape Canaveral National Seashore and a 10,000-acre addition to the Ocala National Forest, hardly the hallmarks of an enemy of the environment.

With President Ronald Reagan, he persistently supported a balanced-budget amendment to the U.S. Constitution; unlike Reagan, he opposed line-item veto power for the president, fearing it would upset the federal system of checks and balances.

The most eloquent testimony to the quality of Mr. Chappell's long career of public service is the fact that his constituents supported him, often overwhelmingly, so many times.

Mr. Speaker, I yield to the chairman, the gentleman from Florida [Mr. FASCELL], who represents the southern part of Florida and who has done such a fine job.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is with sadness that I rise today to pay tribute to our former colleague, the Honorable Bill Chappell. Bill spent over 30 years in elected office, including 12 in the Florida House of Representatives where he was the speaker from 1961 to 1963. Bill was first elected to the Florida House in 1954, the same year I left the Florida Legislature and became a Member of this body. While I missed his years in the Florida Legislature, I am proud to have had the honor of serving with my friend for his entire 20-year career in the House of Representatives.

In 1969, Bill left the Florida Legislature and was sworn in as a Member of the 91st Congress. The House of Representatives lost a key maker of defense policy last November. Last week, America also lost a dedicated public

servant. First, as a member of the Defense Appropriations Subcommittee, and later as its chairman, Bill showed his independence, his knowledge on defense issues, and his leadership skills.

While Bill's views on defense issues are well known, he was also an ardent opponent to offshore oil drilling along the Florida coast. He joined the Florida delegation and provided necessary and helpful assistance to protect Florida's precious offshore waters from potential ruin. We, his colleagues in the Congress, gained an admiration for Bill that many in public service would envy. He worked tirelessly and effectively for the people of his district, for the State of Florida, and for the country.

While he may not have left office the way he had envisioned, those of us who have had the privilege and honor of serving with Bill Chappell knew what kind of man he was. Sometimes we admire our colleagues for their intellect, sometimes we admire them for their persuasiveness, sometimes we admire them for their views, but I admired Bill for his independence and objectivity. He also had a great sense of humor and was warm and genuine in his love for family, friends, and constituents. He will be missed very much by his family, friends, and the Congress. Jeanne-Marie and I extend our sympathy to Bill's wife Jeane and his family. We join with them in sharing the pain of their loss of a loved one.

□ 1220

Mr. BENNETT. Mr. Speaker, before I yield to the majority leader, I would like to follow up on one observation the gentleman from Florida [Mr. FASCELL] made about Bill's great sense of humor. Working as hard as we do here in the Congress, it is often a hard thing to come off with a great sense of humor a lot of the time.

But his funeral, which I attended, was the most unusual and uplifting funeral I ever went to. The preacher who was in charge of it said this is a celebration, this is not a grieving period. The grieving period will occur after this. At Bill Chappell's request, the beginning note was struck by a jazz band, and the last note was another stirring piece by that band and that was the end of the funeral. In between we had glorious singing of "The Battle Hymn of the Republic," just a wonderful thing all the way through. I never really experienced a funeral just like that. But Bill had planned it himself.

The preacher said that in the last campaign Bill said, "I need you to introduce me in a certain spot." The preacher asked why did he want to have him introduce him, and he said because you are reckless with the truth in my favor, and that is why I want you to come and introduce me.

So it was a moving experience, and I guess it was a most touching time. It was full of joy, it was full of achievement for Bill, but it also had very much pathos in it. I remember his son when he said, "Goodbye, Dad," and tapped his daddy on the coffin there.

So it was a real family experience for those who were there. Many Members of Congress were there, and it was an inspiring event.

Bill Chappell had an inspiring life. He inspired me a lot because he was one of my personal friends, closest personal friends, and he had a lot to do with whatever good there is in my life.

I yield to the gentleman from Washington [Mr. FOLEY], the majority leader.

Mr. FOLEY. Mr. Speaker, I thank the distinguished gentleman from Florida [Mr. BENNETT] for taking this special order and for yielding to me. I of course concur entirely in the sentiments of appreciation and respect for our departed colleague, Bill Chappell.

I want to say, as others have said, that he always impressed his colleagues with his ability to keep his sense of balance and his sense of good humor in the midst of some very difficult problems for which he had special responsibility. He was a Member of unusual importance and rank in this body. He had critical areas of responsibility including political questions involving national security as well as, of course, the responsibility each of us has with respect to his own district.

He leaves a legacy of respect and regard in this body that goes across party lines and to every region of the country, because those of us who have had the pleasure, and I might say the honor of working with him over the years, know what a superb legislator he was, how his principal commitments to those values and standards which he held high were always seen in a context that we had to reach decisions in this body, that no Member can be perfectly happy with every decision that is made, or at least often made here, and we have to have the capacity to see the broader interests and concerns of the country as well. He handled that responsibility with balance and judgment superbly, and this country is stronger, its citizens are more benefited and stronger in their future as well as those constituents that he represented so well. The Nation as a whole has benefited from the service of Bill Chappell, and for that, and for his personal qualities, and all of the friendship and association we have enjoyed with him over the years, we are truly grateful. His memory will be respected here for many, many years to come.

I join in sending my respects and condolences to his wife, Jeane, and to the family.

Mr. BENNETT. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I also thank one of our most senior Members, the ranking member on the House Armed Services Committee, the gentleman from Florida [Mr. BENNETT] for taking this time to remember Bill Chappell.

Mr. Speaker, it really came as a shock to me when Bill Chappell died. He was a wonderful person, and quite frankly, I say to the gentleman in the well, I did not know that Bill Chappell was that ill, and his death came as a great surprise to me. He had been taking treatments out at NIH.

As has been mentioned before, his wit really came forth. He enjoyed his job as being chairman of an important subcommittee of the Appropriations Committee which pertained to military affairs. He performed his job with a lot of wit, and we always enjoyed working with him, both the gentleman in the well and I on the Armed Services Committee. It was a pleasure to be able to work with Bill Chappell.

Mr. Speaker, I would just like to mention that Bill Chappell in World War II was a naval aviator. He carried over after that into the Naval Reserve where he was a flier. His experience in that capacity made him more knowledgeable of the military. Because of his service in those branches of the military it really made it easier to deal with him when talking about combat conditions or equipment or so far as military matters were concerned, and he was very knowledgeable.

Mr. Speaker, we will remember Bill Chappell as a person about whom we would say a job well done, Bill.

Mr. BENNETT. Mr. Speaker, I yield to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Speaker, I want to thank the distinguished dean of the Florida delegation for yielding, and also thank him for taking his time to bring us together for a few moments to pause and reflect about our great friend, Bill Chappell.

Mr. Speaker, we in this House of Representatives see each other every day coming back and forth to vote, and we talk to each other in committee meetings, and often we find ourselves, 435 of us, in some type of adversarial roles with one another. But it seems we never get to know each other as we should until we get the chance to know that person and his family, and what his part of the country is all about. Mr. Speaker, last year I was honored when Bill Chappell asked me to go with him down to Florida to a fundraiser that he was going to give in preparation for his next election. He asked me to come down with him and say a few words on his behalf, and get to know his family and some of the

people who meant so much to him down in his district.

□ 1230

And being a relatively junior Member of Congress, I was honored that the chairman of the Subcommittee on Military Appropriations would ask someone with so little seniority to come down and look at him in a little different light. I went down to Florida, we flew down to St. Augustine and then went to a fundraising occasion. I got to know those people who had been with Bill Chappell his entire congressional career. I got to know the people who knew Bill Chappell long before he anticipated coming to the Congress, got to know supporters from the business community, rich folks, poor folks, black folks, white folks, people from all over that particular part of Florida, all who respected Bill Chappell and knew what he was about.

I came away that night having gotten to know his wife Jeane, their sons, the whole family a whole lot better. I felt like I had seen and finally gotten to know what Bill Chappell was all about.

When somebody comes here and presides over a budget like Bill Chappell had, a budget of \$300 billion, which is so important to our Nation's security and our Nation's defense, we have a tendency to look at that person solely in professional terms, and what that person can do for us sometimes, what that person will mean to our district and perhaps our own political future. We do not have a chance to look at that individual as a real person.

But I feel like I had an opportunity, a unique opportunity to find out more about Bill Chappell in that way. And the majority leader referred a moment ago to the two hats that you wear as a Member of Congress. You wear a hat, of course, as a national representative, and Bill certainly had national prominence; also as someone who represents the individuals in that particular congressional district.

I might say that Bill Chappell wore one more hat up until recently, and that was the hat that he wore as a coach of the Democratic baseball team.

Bill was very proud of his role there; there was Bill out there in his mid 60's in the last game in which he played, catching with those of us who were 20 and 30 years younger. He was able to keep up with us.

I thought that was a remarkable physical feat for a man in his mid-sixties out there playing baseball.

The only time I ever got mad at Bill is during that game, when he did not play me enough, as I thought he should as a coach and manager of our team. I will always remember Bill in those personal terms as a warm caring, real competitor, whether in Congress

or running for Congress or on the baseball field.

Mr. Speaker, although Bill Chappell was among the most senior Member of this House, I was struck, from the beginning of my service here, by his willingness—even his eagerness—to work closely with more junior Members such as myself. Chairman Chappell knew that the success of the legislative process requires participation by every Member—from every State and every level of seniority.

Bill Chappell and I shared an understanding that America must remain strong if she is to remain free, and he was committed to building and maintaining a strong national defense. He never hesitated to use his immense stature and influence to assure that our Armed Forces received the best weapons and other equipment for their vital duties, and that they received the funds they needed to maintain a high level of readiness against any potential adversary.

Last year, of course, we saw some serious allegations made against Bill Chappell's integrity. Let me just say this—over the years in which he and I worked together on a variety of matters in the House of Representatives, I never knew Bill Chappell to be anything other than a man of the highest personal integrity. And I always knew that when Bill Chappell gave me his word, I could count on him to follow through.

Mr. Speaker, I join with my colleagues in extending our heartfelt sympathy to Bill Chappell's family, and to all others who mourn the loss of our former colleagues.

Mr. Speaker, I want to again thank the gentleman from Florida [Mr. BENNETT] for giving us the opportunity today to participate in the special order and giving us a chance to reflect about a great American.

Mr. BENNETT. Mr. Speaker, I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. I thank the gentleman for yielding.

I appreciate very much the dean of the Florida delegation [Mr. BENNETT] for taking this special order so that all of us could remember a good friend, a leading colleague of ours, Bill Chappell.

Bill was always a fighter, whether it was as a Navy fighter in World War II, or as the most valuable member of the Florida State House or in the capacity I knew him best, as a member and most recently chairman of the Subcommittee on Defense Appropriations.

I think it was clear to every Member of this House on both sides of the aisle that Bill Chappell was a national expert on defense and national security and a real leader in that field.

Two weeks ago Bill Chappell went out as a fighter against that most relentless foe, cancer. Many of us were

surprised over the severity of Bill's disease. His struggle against this deadly disease was a study in courage and good humor in the face of adversity. It is for these traits along with his frank honesty and loyalty that all of us in the House will miss Bill Chappell.

Bill was best known for his work on national defense issues where he was a most forceful advocate and virtually singlehandedly saved the U.S. Naval Reserve. But he always took an active role on environmental issues also. His leadership led to the creation of numerous wilderness areas in Florida, and he introduced legislation creating the 60,000-acre Canaveral shoreline as a national seashore.

As chairman, Bill was straightforward and, most importantly, fair. If he could support you, he would, and if he could not, he let you know the reasons why. As a result, he earned the respect of Members from both sides of the aisle and from all points on the political spectrum.

We all extend our deepest sympathy to Bill's wife Jeane and his children and grandchildren.

While they feel Bill's loss more than we do, anyone who knew and worked with Bill knows how they must feel.

Last week a number of us had an opportunity to be at the funeral and were impressed by the friends, by the colleagues and by the constituents of Bill Chappell.

As Congressman DARDEN just had a chance to say, it gave us an opportunity to meet those people who had been Bill's closest friends for many years.

Bill's optimistic love of life was perhaps best reflected in the participation of the River City Dixie Band in his funeral last week. It was his way of telling us that he left us in peace, with his head held high, justifiably proud of his service to his family, to his constituents and to the Nation.

Bill Chappell was a good friend of mine. I am going to miss him. But I will always be proud of the work that he did for this House and for our great country.

Mr. Speaker, I thank the gentleman again for yielding to me.

Mr. BENNETT. I thank the gentleman from Washington for his contribution.

Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. I thank the gentleman for yielding and thank him for taking out these few moments to praise a man who is a great personal friend of mine, a person for whom I have the highest regard.

Mr. Speaker, I had the pleasure and honor of serving with Bill Chappell for the last 5 years as the junior representative on his Subcommittee on Appropriations, the Defense Subcommittee, but I also had the pleasure of working out with him down in the

gym for about the last 8 to 9 years, off and on, in the sport of karate.

He was an inveterate champion in all things he did. He was a great man, a lover of life and a man with whom I just acquired a great friendship despite the differences in our ages, over these last many years.

Bill Chappell was a former prosecutor in years past. I am a former prosecutor. I think we had an affinity by virtue of our backgrounds. He served 10 years in the Florida House and ultimately rose to serve several years as speaker of the house of representatives before he came here.

Of course, he had a very distinguished and outstanding career for 20 years in the Chamber representing the good people of the Fourth District of Florida. I have heard it said at the funeral last week, and the gentleman from Florida [Mr. BENNETT] was there, when the minister pointed out that Bill had just done an enormous amount of good for the good people there in terms of job creation and economic development and they truly loved him.

The fact is that Bill did an enormous amount of good across the board. He had significant achievements on behalf of the defense of this Nation. He was a tireless supporter of adequate funding for the defense of the country even when sometimes that was unpopular among many of his colleagues.

He was a key figure in saving aircraft carriers, for example, a builder of the 15-carrier battle group; and together with his colleague, SONNY MONTGOMERY, who spoke just a while ago, he could be deemed as being a semigodfather and supporter of the Naval Reserve, in fact, all of the Armed Forces reserve groups and the National Guard. Some have even referred to him as being "Mr. Naval Reserve." Perhaps that stemmed from his service on active duty in the Naval Reserve in World War II and continuing until his retirement from the Navy in 1983, when he left at the rank of captain of the Navy.

But anyway Bill Chappell was an irrepressible guy, he just had incredible energy. I never ceased to be amazed at how he could just go on and on.

We traveled a good bit together in the last few years and he would be out there working very early in the morning, working hard all day long, then he would want to have a chance to relax and maybe do a little bit of partying that night. He would have a drink, take a good cigar and we might be out late that night, but doggone it, he would be at work early the next morning and have more energy while I was dragging, though 20 years younger than he.

□ 1240

He just never seemed to flag at all. Even when it appeared he must have had bone cancer, he could not stay out of the ring, old boxer such as he was. He would get in there and we would spar and karate under the supervision of the master, Jhoon Ree, who was also a friend of his, and I would have a technique that I used to love to try on Bill. I am a little bit taller than he is, considerably so, with a long reach, and tried to use my reach and reach out there and pound on his schnozzle until it got bright red. That was a mistake. Invariably, the redder the nose got, I should have been warned, because three or four times when I tried that little technique, I did not learn very fast, if I just looked away from him for a second, he was fast as lightning and boom, he would hit me on the jaw. He had gloves on, luckily, and he turned my head around three or four times, and I felt like I was kicked by a mule.

Bill Chappell was a great guy and great fighter, a great lover of life in everything that he did. He could tell jokes incessantly for hours on end. He loved all the people around him and he added to the quality of life of everybody that knew him. So I want to join those who have gone before, thank the gentleman for taking out this time and say that I, too, will miss him. My wife and I join in extending our very best wishes to his wife, Jeanne, and their kids and stepchildren, and would wish them our deepest sympathies, yes, but our thanks for allowing Members to know Bill Chappell.

Mr. SMITH of Iowa. Mr. Speaker, I thank the gentleman for taking this special order.

I too want to extend my deepest sympathy to his family and his friends. I think I will not repeat all the things that have been said here today, but I think perhaps there is one thing that ought to be said that I do not believe has been said yet.

We have been in a buildup for defense and Bill, of course, has been chairman of the subcommittee that originates the funding for the defense during this period of time, the biggest buildup in history. People have sort of concentrated on that fact. However, the fact is that one of the greatest things that has happened, I think, and one of the most significant things that has happened is that for the first time we have really been able to substitute Reserves, National Guard and active ready to go Reserves for regular forces.

Until now in the Army, for example, we depend on Reserves or the National Guard for over half of the defense. We can do this and save a lot of money without cutting into defense needs. Bill has been one who thoroughly understood the Reserves, especially Navy, but also the other services.

Having been a flier, he understood the Air Force, of course, and those parts, and I think that it should be said that one of the significant contributions that he made during those last several years as chairman of the Subcommittee on Defense Appropriations was the tremendous strides that he made in making it acceptable to use defense Reserves and National Guard that are ready to go, getting in there ready to go. Not just having them on paper, but having them ready to go. This is a great contribution that he will go down in history as being the leader of.

Mr. CONTE. Mr. Speaker, the swing of the bat; the karate chop; the voice and the glass raised high at the piano; the tap of the toe to the syncopation of New Orleans jazz; the wry, mischievous gleam in the eye; the good-natured combat; the snap-to posture of a dedicated military patriot; the wafts of cigar smoke; we cannot and will not forget.

Bill Chappell left us, but those images will forever remain. He was a friend and fellow combatant for 20 years in this institution. He played and coached baseball for the Democrats with all the skills of the crafty legislator that he was. He legislated in these halls with all of the gusto and love of life of the sportsman and outdoorsman that he was. He would fight you tooth and nail, but always with a warm grin that told you that the fight was worth it. He nearly always won and he was gracious in winning. In those rare instances when he lost, he was even more the gracious gentleman—always the winning decorum.

There are none among us more concerned about or dedicated to the preservation of our Nation than was Bill Chappell. His life's story is a primer for all ages on just what public service is all about. He was deeply proud of his duties in World War II. He remained in the Naval Reserve as an aviator until his retirement at the rank of captain in 1983.

During the ensuing years before he came to Congress in 1968 his career was a veritable "who's who" in Florida politics, culminating in the speakership of the Florida House. His whole background pointed to the day when he would become one of the major influences in our country on national security matters.

He believed that we must be ready and strong. He worked tirelessly in Congress and in his many responsible positions on the Appropriations Committee to ensure that we would always remain so.

Bill was organized in such a way that no one could keep up with or keep track of him. He could stay up all night and then be as bright-eyed and bushy-tailed as if he had slept all night. Whether it was a hunt or a visit to the troops on the East German border, he was ready. Yet he could stop for 30 minutes to talk to a friend or a constituent from the district and hold up the President if need be. He had time for everybody. He saw everybody. And he cared for everybody.

Bill became a national treasure as chairman of the Subcommittee on Defense of the Committee on Appropriations. He knew how the Pentagon worked; he understood the programs; he knew what the political climate would support; he knew what the soldiers,

sailors, marines, airmen, and their dependents needed; and he had a correct vision of how to make all of this knowledge come together. He kept the faith with the Nation and its military forces during his tenure.

The measure of a man can be taken in many ways. What others think of him is one of those ways. Bill Chappell was one of the most respected and loved men to serve in this institution. His convictions were strongly held and strongly fought for. But, he knew that the purpose of the Congress is to get things done and that a willingness to work with others brings the fruit. He was ready to listen and to work things out. His ability to effect a compromise was his trademark. His attitudes toward getting the job done will be missed when the contentious battles in the future block our progress.

The loss of Bill Chappell is a national loss. It is also deep, hurting loss to those in his family. His wife, his four children, two stepchildren, and seven grandchildren loved him dearly and he loved them back passionately.

So to his lovely wife Jeane and the Chappell family, I want to express my heartfelt sympathy. Bill Chappell was the dear friend to me and to this institution. He will live in our memories and we will miss making those memories with him.

Mr. MURTHA. Mr. Speaker, Bill Chappell was one of my best friends in Congress and a man for whom I had great admiration. I was honored to speak recently at his funeral.

On the Defense Appropriations Subcommittee, I sat next to Bill Chappell for a decade. He was a Congressman who understood how the system worked, who was able to get things done to benefit America's military strength and America's national commitment.

I remember the great personal integrity he brought to a delicate situation when Chairman Joseph Addabbo was ill. Despite some differences with Chairman Addabbo on key provisions in the bill, Congressman Chappell took over management of the chairman's version of the bill and helped pass it in the House and into law.

Bill Chappell was a leader, a man who could get things done. It's an honor for me to say a few words of remembrance about a friend and colleague, Bill Chappell.

Mr. SPENCE. Mr. Speaker, I want to thank my dear friend and chairman of the Seapower and Strategic and Critical Materials Subcommittee, on which I have the honor of serving as ranking minority member, for taking the special order to eulogize the late Bill Chappell.

I considered Bill Chappell a dear friend. He loved the institution of Congress, and no one in this body ever worked harder or devoted more time to congressional duties than Bill. In fact, his legislative career spanned a period of some 35 years both as a member of the Florida House and the U.S. House of Representatives, and it was a point of justifiable pride to him that he was elected speaker of the Florida House of Representatives in the early 1960's.

Bill Chappell believed in doing his homework, and on the subject of national defense and military preparedness he was one of the most knowledgeable people to be found, not only in Congress, but throughout the Nation. As we all know, when a Defense Appropria-

tions bill came to the floor for debate, he knew the provisions of the bill inside and out. He was a student of national defense, and he was a reliable and honest source of information about our Nation's military requirements.

I was especially proud to be a fellow Naval reservist with Bill. Both of us served as captains in the Naval Reserve, and we often discussed the ever-changing role of the Navy Reserve in providing a front line of defense in time of conflict. He understood the vital importance of a strong Reserve and National Guard component, and it was a source of great pride to both of us that the States of Florida and South Carolina maintain outstanding Reserve and Guard forces.

Mr. Speaker, I am going to miss Bill Chappell. Not only was he a friend and gentleman of the first order, but he was a courageous and thoughtful person. He was genuinely interested in the welfare of people, and this was reflected in the wonderful ombudsman approach that he took in solving constituent problems. To his dear wife, Jeane, and their four children I want to extend my deepest sympathy on their great loss. I might add that his passing was also a great loss to America and the ability of our country to defend against aggression.

Mr. HUTTO. Mr. Speaker, In the early and mid-1960s I frequently heard the name of Bill Chappell as the speaker and member of the Florida House of Representatives. This was long before I had ever thought of entering the political arena, but I kept up with the happenings of government quite a bit and in fact reported much of it on the television station for which I worked. It was very obvious to me at that time that Bill Chappell was an outstanding and very effective leader for our Sunshine State of Florida.

It was not until January 1979 when I started my service in Congress that I had the opportunity to meet this great man. Bill Chappell, as one of the senior members of our Florida delegation, was very helpful to me in my early days in this body and continued to be a source upon which I have relied through the end of the 100th Congress.

Bill Chappell was a captivating person. He was full of life, jovial, and always pleasant. It was good to be in his presence. I treasured his friendship.

It was a great shock to me to hear about his illness inasmuch as the last time I saw him a couple of months ago he seemed to be at his maximum strength. Indeed, if Bill had been willing to forego a campaign last fall he might have been with us today. Had he entered a new treatment program last September there is every reason to believe that his condition would have been much improved today. But that was his nature. Bill Chappell was a fighter and chose to go through another gruelling campaign, although I am told that he may not have the physical stamina for which he was known.

It was amazing to many of us to see just how active and vibrant Bill Chappell was. As Members of this body know, Bill managed the Democrats in the annual Congressional baseball game for many years, even into his mid sixties. It was only in the last couple of years that he had given up his role as manager, but even then I understand that he remained as a

member of the team. I remember that back in 1979 and 1980 Bill had prevailed on me to be a part of the team. It wasn't easy to turn Bill Chappell down and I enjoyed playing even though I sustained a broken jaw in 1980. Bill and I often joked that I won the election that year because my jaws were wired shut and I could not speak clearly for most of the campaign.

There is no question Congressman Bill Chappell was one of Florida's greatest leaders. He was born and raised in central Florida near Ocala and he was always able to remember his humble beginnings and he continued to relate to his people back home. He served well and honorably for about 10 years in the Florida House of Representatives and was quite effective as its speaker in the early sixties.

As a Member of Congress he continued to receive accolades for his fine work and on numerous occasions he was in the forefront of providing for the needs, not just of his district, but for the State as a whole. I will not take time here to enumerate his many accomplishments, but his good work as a devoted public servant will be remembered for a long time. He worked hard on behalf of his district, the State of Florida, and for our Nation.

The man we honor today stood tall as an American patriot. He loved America. He was a naval aviator in World War II and continued in the Navy Reserve until his recent retirement as a captain. In Congress he was a strong supporter of our Nation's defense and for the men and women of the military, but he also was firm in his desire that we run a tight ship and receive the best for the taxpayers dollar. As chairman of the Defense Subcommittee of the Appropriations Committee, Bill Chappell was a strong leader who was respected by the members of his subcommittee as well as this House.

In closing I would like to say that Bill Chappell was a true friend of mine and many others. He will be greatly missed. Bill was a very active and vibrant person right to the end. It is my hope and belief that he had made peace with his Maker and has gone on to greater reward. My deepest sympathy is extended to Bill's family. It has been a wonderful experience sharing in his life here in the Congress. My God richly bless each of you.

Mr. YATES. Mr. Speaker, while I knew that Bill Chappell had been ill, the news of his death was a shock and it saddened me. Bill and I served together on the Appropriations Committee for 15 years and he was my very good friend. While our political views and budget priorities were far from identical this did not affect our friendship. I had great respect for his detailed knowledge of military matters. Bill always had very complete answers to my questions about the technical aspects of Defense Department programs and systems. He worked very hard as chairman of the Defense Subcommittee and he was a most effective advocate for his district and the people of Florida.

I am sorry that he has left us and I extend my most sincere sympathy to his wife and family.

Mr. CRANE. Mr. Speaker, Mr. BENNETT of Florida has asked for a special order so that

we may pay our respects to a former colleague of ours, Bill Chappell, who recently passed away. I want to thank Mr. BENNETT for this thoughtful gesture on behalf of a man who served this body so well for so many years.

Mr. Speaker, it was my privilege to have served with Bill Chappell for nearly his entire career in the House of Representatives. Although I certainly did not know Bill Chappell as well as my colleague from Florida, I did know that Bill was an excellent legislator. Bill was committed to doing a good job on behalf of his constituents and on behalf of his country, and he served both well for 20 years in the House of Representatives.

Bill Chappell was a man who fought hard for the principles in which he believed. He was a patriotic American who knew that the most important role of the Federal Government was to provide for the defense of this country and protect the freedoms and liberties that we all so deeply cherish. As chairman of the Appropriations Subcommittee on Defense, Bill worked to ensure that this Nation's security interests were protected. He was particularly concerned with our Nation's naval forces. Bill can be credited with having fought hard and successfully in the effort to strengthen our naval forces, and we all owe him a debt of gratitude for these efforts.

Mr. Speaker, this Nation has lost a great American. Bill Chappell will be greatly missed. However, we can take solace in the fact that Bill Chappell was able to serve this Nation so well for so long.

Mr. SMITH of Florida. Mr. Speaker, it is with deep sympathy I take this opportunity to pay final tribute to Bill Chappell. It is always difficult to say goodbye to someone, made all the more difficult when that person was a colleague, a friend.

Bill dedicated much of his adult life to serving the needs of the country he loved so deeply. After serving a 5-year stint in the Navy Active Reserve, he went on to the University of Florida, gaining his BA in 1947 and his LLB in 1949. In 1955, Bill entered another area of public service when he won a seat in the Florida State House, the body in which he served as speaker from 1961 to 1963. After returning to the University of Florida to get his JD, Bill won another term to the State house in 1967.

After serving in the Florida House for 10 years, Bill believed he could represent the people he cared so much about at the national level and won a seat in the U.S. Congress in 1968, a seat he held until this past fall. While in the Congress, Bill chose to be a behind the scenes consensus builder, leaving the headlines for others while tirelessly working in the subcommittee rooms to make sure that the work got done. As chairman of the Defense Appropriations Subcommittee, Bill fought with all his might to ensure that the security of this country was never compromised. Throughout his legislative career, Bill constantly fought for the programs he believed would be in the Nation's best interests.

Grant, Lauren, Sheila, and I would like to extend our most heartfelt sympathy to Bill's family. They can take comfort in knowing that Bill was a man who was respected by his peers in a city where respect is often hard to come by. Bill will be very sorely missed.

Mr. COUGHLIN. Mr. Speaker, I thank my colleague from Florida, CHARLES BENNETT, for calling this special order to honor a former Member with whom I had the honor of entering the House with in 1969 and the pleasure of serving with on the Appropriations Committee.

Bill Chappell and I were neighbors for many years on Rayburn's fourth floor. As difficult as the last months of his life were, he maintained his commitment to his constituents and the House, never letting his tribulations affect his work or relations with his colleagues. Few knew just how serious his battles were.

But, during his 20 years of service in the House, Bill established himself as an expert in military matters; he was acknowledged as one of the most informed and astute Members when it came to our Nation's Armed Forces and defense needs. He worked tirelessly to stay current with the swiftly moving tide of technology; he listened intently to witnesses called before his Military Appropriations Subcommittee; he valued the opinions and evaluations of career military men and women.

Bill, himself, was a long-time member of the Naval Reserve. Following his service in the Navy during World War II, Bill maintained his ties to the men and women in uniform and continued to serve his country as a reservist. As an aviator, he rose to the rank of captain. It was service that gave Bill a background in the real life, day-to-day needs of our Armed Forces.

Bill was a specialist, devoting a great deal of his time here in Washington on military matters. He was smart and he was tough.

Bill Chappell spent the good part of his adult life in public service. He spent 4 years in the early 1950's as prosecuting attorney in Marion County, FL. Bill was then elected to the Florida State Legislature in 1954, rising to speaker of the Florida house 7 years later.

Back home in Florida, Bill saw the Fourth District change year by year. Population growth and booming development made for new constituencies. Bill continued to serve them well through his last term in the House.

Though his passing was, in a respect sudden, Bill's legacy, established by a dedication to our Nation's defense and to our uniformed men and women, will persevere in this Chamber.

I send my deepest condolences to Bill's wife, Jeane, his family and many friends.

Mr. JAMES. Mr. Speaker, Bill Chappell's passing marked an end of an era in Florida politics. For more than 35 years, Congressman Chappell served our Nation and our State with dignity and great pride. He was a man who rose from the humblest of beginnings to become one of the most powerful Members of this august body. His knowledge and expertise in the area of military affairs was, perhaps, unparalleled in the U.S. House of Representatives. His support and care for our Nation's security was unmatched. And Bill Chappell's support did not end at the Pentagon. It filtered down to every soldier, sailor, airman, and marine defending our Nation. He spent much of his adult life working for the people and he will be remembered for his great accomplishments, great sacrifices, and great commitment. He had earned a lengthy and comfortable term as public servant emeritus.

But, the good Lord deemed that his time had come. He departed with the same feistiness and grit that had served him so well as he served his constituents. His legacy is intact. Battlin' Bill Chappell. Always fighting for what he believed in.

Mr. AUCCOIN. Mr. Speaker, I want to express my sympathies to Jeane Chappell and the children over their loss. This country has lost a tremendous statesman and this body has lost a great friend. I have also lost a great friend.

In serving with Bill on the Defense Subcommittee on Appropriations, I came to know a man of integrity, intelligence, and love for his country. Bill Chappell was a fighter for a strong defense and a fighter for the soldier who risks his life for our country's freedom.

Bill spent a lot of his energies on the part of the defense budget that is near and dear to my heart—the National Guard and Reserve. He knew the Guard and Reserve were critical elements in maintaining readiness and providing a cost-effective use of our defense dollars. He sponsored the bill that created the position of Assistant Secretary of Defense for Reserve Affairs to insure that they were given the attention by Congress and the administration that our military security demanded.

It was an honor to serve on the Defense Subcommittee with Bill. He was truly a "Member's chairman." Even though we were on opposite sides of the fence a few times on some issues, he was always fair, willing to look for the middle ground and work toward achieving the best answer for this Nation's defense.

I will miss Bill Chappell, a friend and a colleague.

Mr. IRELAND. Mr. Speaker, I had the great privilege of serving with Bill Chappell in the Congress for 12 years of his 20 years in this body. Through those years we shared a number of common goals even as we had our differences. But, no matter what the issue, Bill always approached his responsibilities with a sense of fairness and a sense of humor.

Every year our offices came together for a joint Christmas party, at which Bill never failed to demonstrate his lofty communications skills and regale us with stories from his long and distinguished career, both in the U.S. Congress and the Florida Legislature. These annual events gave us personal insight into the dedication of Bill Chappell to his home State and to the Nation.

As chairman of the House Appropriations Committee's Defense Appropriations Subcommittee, Bill became quite knowledgeable about the costs and complexities of defending our Nation. His love of country and desire to protect the national security were evident in all of his subcommittee's proceedings. There is no doubt that this expertise and devotion will be sorely missed in our debates on national defense policy.

Bill was always most supportive of the efforts of members of the Florida delegation, particularly on those activities that affected Florida. He was an outspoken advocate of fair treatment by the Federal Government for the Florida citrus industry following back-to-back freezes in the Citrus Belt. Later, he helped champion the cause when the outbreak of a virulent plant disease known as citrus canker

plagued the State's citrus growers. He was also an ardent booster of Florida citrus products, fully supporting the opening of citrus trade with the Japanese and joining us to fight for open markets abroad.

Mr. Speaker, there is no doubt that Florida's optimistic future is due in part to the dedication and distinguished career of Bill Chappell. He loved Florida and worked hard for it. He will be sorely missed both in Washington and back home.

Mr. HORTON. Mr. Speaker, I rise today to join my colleagues in this tribute to our departed friend, former Congressman Bill Chappell of Florida. I knew the gentleman from Ocala since he came to Washington in 1968 and always considered him to be a true friend.

Bill Chappell was a patriot in every sense of the word. Be it through his service during the Second World War, his subsequent 35 years in the Naval Reserves, or his 20 years in the House of Representatives, Bill Chappell always answered the call to serve. His work over the years on the Defense Subcommittee of the Appropriations Committee is a prime example of his commitment to the defense of this Nation.

Bill's years in the Naval Reserves no doubt played a important role in forming his views on defense matters. For years, Bill's was the voice of support for the Naval Reserves on the Hill and in Washington. Bill saw to it that reserve sailors had front line fighting ships on which to train in spite of intense opposition from the Pentagon. No matter what the issue, Bill Chappell stuck to his guns and voted his convictions.

As public officials, we all grow accustomed to hearing the criticism of the pundits. We all grow accustomed to the labels by which members of the media and others try to identify us. The one label which is above criticism is that of voting one's convictions. No one can ever be faulted for that. Over the course of his career, Bill Chappell faced challenges from the left and from the right, but he never abandoned his views for political expediency. I know of no higher praise for a Member.

And so it is with a heavy heart and a sense of loss that I reflect upon the life of our departed colleague. But, Mr. Speaker, my sadness is tempered by a sense of pride—yes, I can honestly say that I am proud to have known and served with Bill Chappell over the past 20 years.

I want to thank my good friend and neighbor, the gentleman from Florida, CHARLIE BENNETT for taking out this time in honor of one of our Nation's true patriots and wish to extend my wife Nancy and my condolences to Bill's family.

Mr. LENT. Mr. Speaker, I'd like to join in paying tribute today to a fine American statesman, Representative Bill Chappell, Jr., who passed away recently after a long and difficult bout with bone cancer.

My association with Bill Chappell went back over 20 years to when we first came to Congress, although Bill had been elected 2 years earlier in 1968. Prior to his election to the House representing Florida's Fourth District, Bill served as a member of the Florida State House of Representatives for many years—1954-64, 1967-68—and as Speaker from 1961 to 63.

Throughout his career in Congress, Bill sat on the Defense Appropriations Subcommittee, the small subcommittee which actually marks up the Pentagon's budget for everything from ammunition to sophisticated defense systems. In 1985, he was thrust into the chairmanship with the death of Congressman Joe Addabbo, my former colleague from New York. Bill Chappell's experience and shrewd political sense served him well in this important—and powerful—position.

As subcommittee chairman, Bill earned a reputation as a man who knew his area of expertise inside out, spending many hours attending hearings, and keeping up with changing defense technology. He chose his battles well, and he seldom waged a fight in the subcommittee if he could not sustain the victory in full committee or on the House floor.

An aviator in the Navy during World War II and a member of the Naval Reserve for years afterward, Bill Chappell believed a strong defense was critical to our national security, and he may best be remembered for his dedicated commitment to ensuring that policy objective.

He was a distinguished statesman, and an able legislator. Always the Southern gentleman, Bill Chappell never forgot his roots or the people who elected him. He worked hard for his constituents' interests and secured funding for Jacksonville's Mayport Naval Base, among other things. He also considered himself an environmentalist. In 1974, he succeeded in having the shoreline of Cape Canaveral, now Cape Kennedy, designated a national seashore.

Bill Chappell served his Nation and his countrymen to the best of his ability. He will be missed, and I offer my most sincere condolences to Bill's wife, Jeane, and their family in this time of sadness.

Mr. MILLER of Ohio. Mr. Speaker, I want to join with my House colleagues to pay fitting tribute to our friend, Bill Chappell. As one who served with Bill on the House Defense Appropriations Subcommittee, I had the unique opportunity to work with him almost daily during the periods when the House was in session over the past several years.

That opportunity allowed me to appreciate Bill to a far greater degree than, perhaps, others might have. He was a diligent worker in committee, accepting his responsibilities for oversight on the defense community and appropriations for our weapons systems with the degree of fairness and determination that the task demands. He was thorough in assessing the needs of our Nation's Armed Forces, but he was demanding, too, with regard to the urgency of balancing the Nation's budget and making certain that the taxpayers money was being invested wisely.

Bill was an able Navy aviator in World War II and remained in the Naval Reserve until 1983. He served the people of Florida both at the State and Federal level. He was a member of the Florida House for more than 10 years and was its speaker from 1961 until 1963. He served 10 terms in the U.S. House of Representatives.

Those who served with him in this Chamber know that his priorities were consistently in order: his Nation first, never compromise the Nation's security at the risk of crippling de-

mocracy or those called upon to depend it abroad or at home.

Bill Chappell will be missed. I want to extend my sincerest sympathy to his wife, Jeane, and their family.

Mr. JENKINS. Mr. Speaker, it is with great sorrow that I join my colleagues in this tribute today to former Congressman Bill Chappell, Jr., who slipped away from us recently.

Bill's death came as a great shock to most of us, for few people knew he was suffering from such a debilitating disease and had been probably during his last hard fought campaign.

In his 20 years in Congress, he made quite a mark, rising to the chairmanship of the Defense Subcommittee of the Appropriations Committee. From that position, he takes much of the credit for building the sophisticated defense system we have and will have with the groundwork he laid.

Congressman Chappell's service in the U.S. Navy and Naval Reserves heightened his interest in seeing that today's Navy had the best fighting machines, whether they were aircraft carriers or the most technologically advanced fighter planes.

Bill Chappell's love for his country never wavered. And he always encouraged others to aspire to being "Great Americans." He understood what that meant, for he had spent most of his adult life in public office, starting out as a prosecuting attorney and moving through the ranks of the Florida House of Representatives before running for Congress in 1968. With the passing of Bill Chappell, we have lost one of those "Great Americans."

Mr. DELUGO. Mr. Speaker, I rise today to pay tribute to a former colleague and friend, Bill Chappell of Florida, who died recently, after a long bout with cancer. I will remember Bill as a great fighter who earned my admiration and respect. He was a fighter to the end.

Bill Chappell was a very talented member and an outstanding chairman of the Defense Subcommittee of the Appropriations Committee. From his days as a naval aviator in World War II, he made himself an authority on military matters.

Bill was elected to the 91st Congress in 1968 the same year I was elected at-large as the Virgin Islands' first Washington Representative. In the early days, Bill was always very helpful to me. Later, as a key member of the Appropriations Committee, Bill was very instrumental in assisting the U.S. Virgin Islands on many occasions. I had the good fortune to share the podium with him at a high school graduation on St. Croix just last year.

I also want to extend my condolences to his entire family; especially to his lovely daughter, Judy Chappell Gadd, who operates the Manor School on St. Croix, one of the finest private schools in the Virgin Islands.

Like her father, she is contributing to the well-being of her community and Nation, and she is training students who will carry on that work for future generations in a manner that would make Bill Chappell proud.

Mr. STOKES. Mr. Speaker, I want to thank my colleague the distinguished gentleman from Florida, Mr. BENNETT, for reserving this time to pay tribute to our good friend and former colleague, Bill Chappell. With this

passing, our Nation lost a committed and dedicated leader.

I had the honor and privilege of coming to Congress the same year as Bill Chappell. I was a freshman Congressman from the State of Ohio; it was my first and only political office. Bill, on the other hand, was a seasoned politician by the time he came to Congress to represent the Fourth Congressional District of Florida. He began his political career 18 years prior to coming to Washington, serving as the prosecutor of Marion County and then as a State legislator, where he rapidly rose to the rank of House Speaker in 1961.

Although we represented different spectrums of the Democratic Party, we developed a congenial working relationship as longtime members of the House Committee on Appropriations. Bill's calling was in the vast and controversial realm of defense. As a member of the Defense, Energy and Water Development, and Military Construction Subcommittees, Bill had tremendous presence in this role on the Appropriations Committee.

This was a logical place for a man who had devoted his career to serving his country first as a naval aviator in World War II and then in the Naval Reserve. It was this experience that made Bill Chappell a staunch advocate of the Pentagon and a crusader for the Department of Navy.

Bill believed in a strong defense. As the powerful Chairman of the Defense Subcommittee of the House Appropriations Committee, Bill was consistently in favor of increased funding of defense for our country, its territories, and our allies. In this capacity, Bill was highly respected by his colleagues for his expertise and technical knowledge of defense systems. Bill used his specialized background to lobby tirelessly for increased funding for the Pentagon.

Although his career was primarily oriented in the defense arena, Bill was also proud of his accomplishment as an environmentalist. He worked diligently to win the creation of the 70,000-acre Cape Canaveral National Seashore and a 10,000-acre addition to the Ocala National Forest. In addition, Bill was most helpful to the Congressional Black Caucus by lending his support to minority businesses and historically black colleges and universities in terms of funding for minority set-aside programs. He believed in these programs, and he worked closely with the Caucus to see that minority businesses and HCBU's prospered.

I had the occasion to work closely with Bill in my capacity as former Chairman of the Permanent Select Committee on Intelligence on matters that interacted with defense matters. I always found Bill to be extremely cooperative. What most impressed me about him was that his word was his bond. One could always depend on Bill's word as a gentleman. He was always prepared whenever he spoke on any issue, particularly on defense issues.

Mr. Speaker, while Bill Chappell was a Member of the House, he consistently promoted a spirit of comradery among his fellow colleagues. He sponsored a lovely annual outing for Members and their families. Bill took great pride in this event.

Mr. Speaker, I am proud to have had the privilege of knowing and working closely with Bill Chappell. Those who considered him a

friend will miss him greatly. I hope that it is some comfort to his wife, Jeane, that so many others in this Chamber share in the loss of a great American.

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute to my good friend and former colleague Bill Chappell, who passed away recently after a long illness.

Bill Chappell was very dedicated. He was one of the hardest working Members of Congress I have ever known. And, he was one of the most knowledgeable Members I have ever known, especially on defense matters.

Bill had a very fine understanding of our Nation's complex military establishment and defense systems. As chairman of the House Appropriations defense panel, he produced the largest appropriations bill in the world. And, he managed it with the utmost expertise.

Bill Chappell came to Congress 2 years after I did and we served together for 20 years. We had a very good working relationship during the entire time he was here.

I was always impressed with his abilities. He always did such a good job of expressing himself.

We helped each other. If he had a bill he wanted me to support, I always did. And, he helped me with my energy and water development appropriations bill.

Bill was an outstanding leader during the time he served in Congress. He was very dedicated to serving his constituents and he served our Nation with a deep sense of commitment.

Bill Chappell was my friend and I will miss him. My heart goes out to his lovely wife Jean and to his family. Our Nation has lost a fine public servant.

Mr. HOYER. Mr. Speaker, I rise today to join with Congressman CHARLIE BENNETT and my colleagues to pay tribute to a man whose courage and strength added to the greatness of this institution. I rise to pay tribute and join the family and my colleagues in their sorrow over the loss of our friend, Bill Chappell.

Congressman Bill Chappell, Jr. had a long and distinguished career of service to his Government. Whether you review his military record as a naval aviator and his service with the Navy Reserve, or his service in the Florida Legislature where he was elected speaker of the house, or his long and distinguished career in this Chamber, you will find a dedication to service second to none.

Bill Chappell was a man who believed in democracy and knew that to continue in this dangerous world, democratic governments must maintain a strong defense. Every defense vote that he cast was done so with the belief that America's defense should be second to none.

I found in Bill Chappell a man willing to listen. A man who was ready to concede that truth may hide behind many labels, be it liberal or conservative, Democratic or Republican.

I found in Bill Chappell a professional with an attention to detail. No chairman ever mastered so much in so little time. Chairman Chappell could speak with great understanding about any issue under his jurisdiction, and I know, because I was the beneficiary of his probing questions about more than one defense issue that I sought to discuss with him.

I doubt if anyone in this institution knew about his serious bout with bone cancer. For his courage, perseverance in the face of pain and adversity, and stoicism could not lead him to govern by sympathy.

Mr. Speaker, Congressman Bill Chappell brought a spirit of conciliation to every issue of discord brought before him as chairman of the Subcommittee on Defense Appropriations. It is my belief that history will bring the same spirit of conciliation to his record when it completes its review of his life of service.

I thank Congressman BENNETT for taking out this special order today and I express my sincere and deep regrets over the loss of this warm and gracious man to his family and his friends in this House. I pray that God will give them a strong heart to persevere as he did.

Mr. BROOKS. Mr. Speaker, I want to take this opportunity to join my colleagues in expressing our sense of deep sadness at the passing of our beloved friend and former colleague, William V. Chappell, Jr. Congressman Chappell served this body with both distinction and dedication. He was a hard worker and an outstanding leader who brought reason and understanding to the debates in this Chamber.

He was a capable and experienced member of an outstanding Florida delegation and he demonstrated time and again an intense energy in pursuing goals important to his constituency. He was an effective member of the Committee on Appropriations and his work in this area will be missed by those he leaves behind.

I wish to express my deepest sympathy to his family. We will miss this outstanding leader and dear friend.

Mr. REGULA. Mr. Speaker, it is with sorrow and appreciation that I join my colleagues in saluting a cherished Member and friend, Bill Chappell—sorrow that we will miss the joy of his friendship but with appreciation for his leadership in the Congress.

I served with Bill on Appropriations for many years. This experience provided a close-up view of his very effective role as a legislator and a patriot. Bill loved his country. His goals were to serve our Nation and his constituents with both heart and head.

Bill's caring service for his constituents was always given strong support by his wife, Jean. Her role was a vital part of Bill's commitment to quality government.

Mr. HUGHES. Mr. Speaker, it is with a sense of profound sadness that we gather to pay tribute to our late friend and colleague, Bill Chappell.

For two decades, Bill Chappell devoted his energies and his expertise to serving the people of Florida and the Nation. Everyone who had the opportunity to serve with him recognized an able legislator who faithfully attended to the needs of his constituents while playing a key role in U.S. defense policies.

There can be little doubt that anyone in this body understood national security issues and the workings of the Defense Establishment better than Bill Chappell. His chairmanship of the Subcommittee on Defense Appropriations was marked by a healthy skepticism of Pentagon budget requests, but also by an unwavering commitment to keep America strong and free in a dangerous world.

Even in the throes of his 3-year battle with bone cancer, Bill's ready smile and sense of humor were undaunted. That he chose to wage that fight in private is testimony to his rare courage.

Mr. Speaker, I join with my colleagues in extending our sincere condolences to the family and the many friends of Bill Chappell.

Mr. McDADE. Mr. Speaker, I want to join our colleagues in expressing my deep sadness at the sudden passing of my friend, and our former colleague, Congressman Bill Chappell.

I had the great pleasure of serving with Bill on the Committee on Appropriations for 15 years, and since 1987, had the privilege of sitting at his side as the ranking minority member when Bill assumed the chairmanship of the Defense Appropriations Subcommittee.

Bill Chappell was a national leader on defense long before his becoming chairman. I remember well that in the late 1970's, when it became apparent that our defense effort wasn't keeping pace with the demands of a dangerous world, Bill Chappell was one of the first Members in this House who not only called this to our attention, but was at the forefront in pushing for action. It was through Bill's tireless efforts that the Congress began to reverse the declines in defense spending that occurred in the mid-1970's.

And it was Bill Chappell, through his position on the Defense Appropriations Subcommittee, who helped manage and shape congressional action on the Reagan defense buildup. In particular, Bill stood steadfast on the issue of building and sustaining a quality force, and one that was adequately trained. In the tradition of the Appropriations Committee, Bill didn't seek a lot of publicity for this. But Bill Chappell deserves a lot of credit for what has justifiably been called the biggest success story in defense—that today, we have the best trained and highest quality peacetime military in our Nation's history.

But where Bill Chappell really shone was in his leadership in assuming the chairmanship of the Defense Subcommittee. He did so under very trying circumstances—at a time when the levels of defense spending became increasingly contentious here in this Chamber. There were difficult personal circumstances, as well, as Bill was called forward to first serve as acting chairman and then assuming the chair with the illness of our dear friend Joe Addabbo.

Bill handled these dual challenges with skill and grace. He did so by reaching out. He understood that our Nation's security depended on building a consensus—between Democrat and Republican, among liberals, moderates, and conservatives.

It was no secret that Bill's own views on defense were much more conservative than were the norm in this Chamber, but as chairman he did not seek to impose his views on others. Instead, he spent countless hours, days and weeks trying to seek out middle ground on all issues—be it the overall level of defense appropriations, or policy toward SDI or the MX, you name it. Bill knew that politics in the end was the art of compromise and consensus, and as much as any member I have seen in my 27 years in Congress, he

viewed his leadership role as one of building consensus.

Bill approached each and every issue on a bipartisan basis, and it was my pleasure to work with him shoulder-to-shoulder, as part of a team. I know I speak for all the members on our side of the aisle when I say we were always informed; we were always consulted; and we were never locked out of the process. Bill wouldn't have it any other way.

This bipartisan approach paid off. On those occasions when we brought defense appropriations measures to the floor, we handled them in the space of a few hours, then passed them overwhelmingly. We were able to do this because under Bill's leadership we were able to craft and bring to the House defense bills that deserved and commanded wide support.

We faced many challenges in the subcommittee, and time and time again I saw Bill Chappell rise to the occasion, with hard work, with patience, and expertise, and yes, with that sly sense of humor he had. He took his responsibilities seriously, and he worked hard. He worked our subcommittee hard too, but each of us was willing to put in the time because we knew with Bill Chappell in the chair we would be treated fairly.

I always marveled at Bill's grace under pressure. He always seemed to be able to put things in perspective, to take things in stride despite the pressures that we had to deal with in the subcommittee. And we know today that throughout this time Bill was suffering with the illness that brought his sudden passing. He kept this to himself, and it is a measure of the man that he never missed a step, never failed to discharge his duties.

To his lovely wife Jeane, to his children, and to his constituents in Florida, I would like to extend my deepest sympathies. Bill Chappell has left his mark on the Congress and this country and we all are the better for it.

Mr. WHITTEN. Mr. Speaker, I was deeply saddened by the recent death of former Congressman Bill Chappell. Throughout his distinguished life, Bill Chappell was a man of commitment—commitment to his country, commitment to duty and commitment to the Congress he loved so much.

Bill Chappell was a naval aviator in World War II. He served for years in the Naval Reserves and eventually retired as a captain. He fought long and hard for a strong national defense while serving in Congress. When Bill began his service on the Defense Appropriations Subcommittee in the late 1970's, the condition of our Armed Forces was mediocre—planes couldn't fly because of the lack of spare parts, a high percentage of recruits were not high school graduates, morale of the troops was at rock bottom, and the Soviets were expanding their empire into Afghanistan and other areas of the world.

When Bill Chappell ended his service in Congress as chairman of the Defense Appropriations Subcommittee, America was standing tall in the world. Morale of the troops was excellent, 96 percent of recruits were high school graduates, spare parts for aircraft were ample, the Soviets had withdrawn from Afghanistan, and the global balance of power had shifted in the favor of the free countries of the world.

These great historical achievements were in no small part due to the commitment, energy and influence of Congressman William Chappell, Jr., who fought so diligently for a strong national security.

Every aspect of Bill Chappell's life was a commitment to duty—his duty in World War II, his duty in the Naval Reserves, his duty in the Florida State Legislature where he became Speaker of the House, and his duty in the Congress where he so ably represented his constituents and his country.

But it was not something that Bill Chappell consciously thought about. Duty was in the fiber of his soul. Duty was the most natural thing in the world to him. To Bill Chappell, duty was not something you considered doing, or you contemplated doing, duty was simply a way of life.

I extend my condolences to his wife and family. We all miss Bill Chappell and I commend him for his life of commitment to his country, to duty and to his constituents.

Mr. BENNETT. Mr. Speaker, I thank all Members who have participated. I think we see in what has been said here that we all felt like Bill was one of the family and he had that same feeling about all of Congress and about his constituents as well.

I think a person is sort of measured by the way in which he responds to his own family and to the enlarged family of friends and associates. So I conclude my remarks by reading an untitled poem that Bill wrote about his family in 1978. This was found among his papers, and had never been published before as far as I know, but I do have a copy of it here, and I think it tells about the family love and the inspiration he had from his mother and dad.

AN UNTITLED POEM

Beneath spreading oaks and mosses grey,
I stood beside my parents' graves today
And stooped to pull away the weeds growing there.

'Twas then I thought I heard my mother say,

"My son, your heart is heavy now
And we, resting here, want to help somehow."

Ten thousand times their advice I'd sought
Ten thousand answers had their wisdom brought;

But, thought I, "by what right dare I disturb their rest

To wrestle problems I brought to test."

Yet I asked, "how can I, like you,
To my loved ones bring light and happiness true?"

And like you, replace their words of despair
With seeds of hope, and devoted love, and care?"

From the quiet grave my father's spirit speaks,

"My son," he said, "every mortal seeks
A long, happy, and painless life,
Free of heartache and the aches of strife
But such is not a mortal's way.

Life blends its sorrow with delight," I heard him say:

Then from God's special place spoke my dear mother,

"My son," she said, "live always to serve another;

Divine guidance daily seek;
Good words of thy neighbor speak;
Kind deeds upon all bestow;

Permitting never your hate to grow;
Helping hands to youngsters give,
Charting the good course for them to live."
"These things with your loved ones never
spare
And at your twilight their happiness with
you they'll share."
"Come often, my son, stoop here and pull
away your weeds of despair
For we, at rest as in mortal life, will always
care."

WILLIAM V. CHAPPELL, Jr., 1978.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. Frost). Is there objection to the request of the gentleman from Florida? There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHAYS) to revise and extend their remarks and include extraneous material:)

Mr. DREIER of California, for 60 minutes, today and on April 11, 12, and 13.
Mr. DORNAN of California, for 60 minutes, on April 12 and 13.

(The following Members (at the request of Mr. MONTGOMERY) to revise and extend their remarks and include extraneous material:)

Mr. LELAND, for 5 minutes, today.
Mr. ANNUNZIO, for 5 minutes, today.
Mr. LaFALCE, for 20 minutes, today.
Mr. LELAND, for 60 minutes, on April 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SHAYS) and to include extraneous matter:)

Mr. CRANE in four instances.
Mr. MICHEL.
Mr. LOWERY of California.
Mr. BEREUTER.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. TRAFICANT.
Mr. ANDERSON in 10 instances.
Mr. BROWN of California in 10 instances.
Mr. ANNUNZIO in six instances.
Mr. FEIGHAN.
Mr. BATES.
Mr. ROE.
Mr. FRANK.

Mr. GONZALEZ in 10 instances.
Mr. TRAXLER in three instances.

ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 666. An act to allow an obsolete Navy drydock to be transferred to the city of Jacksonville, FL, before the expiration of the otherwise applicable 60-day congressional review period.

ADJOURNMENT

Mr. BENNETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, April 11, 1989, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

936. A letter from the Assistant Secretary of Defense, transmitting a report on the extent to which contracts negotiated during fiscal year 1988 have prevented excessive contractor profits, pursuant to Public Law 100-456, section 801(a) (102 Stat. 2007); to the Committee on Armed Services.

937. A letter from the Director (Administration and Management), Department of Defense, transmitting a report on the condition and operation of working capital funds for the fiscal year ending September 30, 1988, pursuant to 10 U.S.C. 2208(i); to the Committee on Armed Services.

938. A letter from the Secretary of the Navy, transmitting notification of the proposed transfer of the obsolete destroyer *Edson* (DD 946) to the Intrepid Sea-Air-Space Museum, New York, N.Y., for use as a naval museum, pursuant to 10 U.S.C. 7308(c); to the Committee on Armed Services.

939. A letter from the Deputy Assistant Secretary (Resource Management and Support), Department of Defense, transmitting a copy of the "Officer Flow Annex" to the "Defense Manpower Requirements Report for FY 1990" which was previously transmitted (Ex. Com. No. 593, Feb. 21, 1989), pursuant to 10 U.S.C. 115(b)(3); to the Committee on Armed Services.

940. A letter from the Secretary of Housing and Urban Development, transmitting the 1989 consolidated annual report on the community development programs administered by the Department, pursuant to 42 U.S.C. 5313(a); to the Committee on Banking, Finance and Urban Affairs.

941. A letter from the Acting President and Chairman, Export-Import Bank of the United States, transmitting a draft of proposed legislation to amend the Export-Import Bank Act of 1945, as amended; to the Committee on Banking, Finance and Urban Affairs.

942. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 8-13, "Retired Police Officer Redeployment Temporary Act of 1989," pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

943. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-12, "Law Enforcement Officers Memorial Act of 1989," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

944. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 8-14, "Toll Telecommunication Service Tax Temporary Act of 1989," pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

945. A letter from the Secretary of Education, transmitting a copy of notification of final funding priorities for research in education of the handicapped, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

946. A letter from the Acting Chairman, National Endowment for the Arts, National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' 13th annual report on the Arts and Artifacts Indemnity Program for fiscal year 1988, pursuant to 20 U.S.C. 977; to the Committee on Education and Labor.

947. A letter from the Chairman, Securities and Exchange Commission, transmitting a draft of proposed legislation to amend the Securities Exchange Act of 1934 to authorize appropriations for the Securities and Exchange Commission for fiscal years 1990 through 1992, pursuant to 31 U.S.C. 1107; to the Committee on Energy and Commerce.

948. A letter from the Comptroller of Defense, transmitting notice of foreign aid program changes for fiscal year 1989, pursuant to 22 U.S.C. 2394-1(a), F.A.A., section 634 (92 Stat. 959; 95 Stat. 1544); to the Committee on Foreign Affairs.

949. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Richard Reeves Burt, of Arizona, for the rank of Ambassador-designate during his tenure of service as head of Delegation on Nuclear and Space Talks and chief negotiator on Strategic Nuclear Arms (START), and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

950. A letter from the General Counsel, Legal Services Corporation, transmitting the annual report on activities under the Freedom of Information Act for calendar year 1988, pursuant to 5 U.S.C. 522(d); to the Committee on Government Operations.

951. A letter from the Chief Administrative Officer, Postal Rate Commission, transmitting the annual report on activities under the Freedom of Information Act for calendar year 1988, pursuant to 5 U.S.C. 522(d); to the Committee on Government Operations.

952. A letter from the Chairman, Tennessee Valley Authority, transmitting the annual report on activities under the Freedom of Information Act, covering calendar year 1988, pursuant to 5 U.S.C. 522(d); to the Committee on Government Operations.

953. A letter from the Commissioner, Immigration and Naturalization Service, transmitting copies of orders entered for certain persons, pursuant to 8 U.S.C. 1255b(c); to the Committee on the Judiciary.

954. A letter from the Chairman, Judicial Conference of the United States, transmitting a report on the impact of drug related

criminal activity on the Federal Judiciary, pursuant to Public Law 100-690, section 6159(b) (102 Stat. 4346); to the Committee on the Judiciary.

955. A letter from the Director, Office of Personnel Management, transmitting notification of a proposal for a personnel management demonstration project submitted by the Defense Logistics Agency which will cover about 1,600 employees at the Defense Depot, Ogden, UT, pursuant to 5 U.S.C. 4703(b)(4)(B), (6); to the Committee on Post Office and Civil Service.

956. A letter from the Chairman, Federal Election Commission, transmitting the Commission's protest to the reduction in the appropriations for domestic discretionary residual programs for fiscal year 1989, pursuant to 2 U.S.C. 437d(d)(1); jointly, to the Committees on House Administration and Appropriations.

957. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Deep Seabed Hard Mineral Resources Act, as amended, to authorize appropriations to carry out the provisions of the act for fiscal years 1990, 1991, and 1992; jointly, to the Committees on Merchant Marine and Fisheries, Interior and Insular Affairs, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 310. A bill to remove a restriction from a parcel of land in Roanoke, VA, in order for that land to be conveyed to the State of Virginia for use as a veterans nursing home (Rept. 101-18). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 419. A bill to provide for the addition of certain parcels to the Harry S Truman National Historic Site in the State of Missouri (Rept. 101-19). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 964. A bill to correct an error in Private Law 100-29 (relating to certain lands in Lamar County, AL, with amendments (Rept. 101-20). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 999. A bill to amend the Act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic property throughout the Nation, and for other purposes; with an amendment (Rept. 101-21). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 1746. A bill to promote the conservation and enhancement of wetlands and to offset or prevent the loss of wetlands; jointly,

to the Committee on Merchant Marine and Fisheries, Public Works and Transportation, Interior and Insular Affairs, and Ways and Means.

By Mr. BROWN of Colorado:

H.R. 1747. A bill to amend title II of the Social Security Act to require that the annual trustees' report reflect the future income to, and disbursements from, the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund in the form of alternative "closed-end" and "open-end" analyses; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 1748. A bill to authorize the establishment of a United States-Taiwan Free Trade Area; to the Committee on Ways and Means.

H.R. 1749. A bill to suspend temporarily the duty on certain glass bulbs until January 1, 1993; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MICHEL, Mr. COELHO, Mr. GINGRICH, Mr. BONIOR, Mr. LEWIS of California, Mr. FASCELL, Mr. BROOMFIELD, Mr. OBEY, Mr. EDWARDS of Oklahoma, and Mr. LAGOMARSINO):

H.R. 1750. A bill to implement the Bipartisan Accord on Central America of March 24, 1989; jointly, to the Committees on Appropriations and Foreign Affairs.

By Mr. CRANE:

H.R. 1751. A bill to authorize the establishment of a United States-Korea Free Trade Area; to the Committee on Ways and Means.

H.R. 1752. A bill to authorize the establishment of a United States-ASEAN Free Trade Area; to the Committee on Ways and Means.

By Mr. DORNAN of California (for himself, Mr. McEWEN, Mr. HILER, Mr. HYDE, Mr. DONALD E. LUKENS, Mr. CRAIG, Mr. SOLOMON, Mr. SMITH of Mississippi, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. DANNEMEYER, and Mr. BURTON of Indiana):

H.R. 1753. A bill to provide nonlethal assistance to the Nicaraguan democratic resistance; jointly, to the Committees on Appropriations and Foreign Affairs.

By Mr. FISH (for himself, Mr. SCHUMER, and Mr. SYLAR):

H.R. 1754. A bill to amend title 11, United States Code, with respect to forward contracts; to the Committee on the Judiciary.

By Mr. JONES of North Carolina (for himself, Mr. TAUZIN, Mr. DAVIS, Mr. ANDERSON, Mr. NOWAK, Mr. HAMMER-SCHMIDT, and Mr. STANGELAND):

H.R. 1755. A bill to transfer administration of bridges and causeways over navigable waters from the Secretary of Transportation to the Secretary of the Army, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

By Mr. PALLONE:

H.R. 1756. A bill to reduce the maximum speed limit on certain rural roads to 55 miles per hour, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. PETRI (for himself, Mrs. BENTLEY, Mr. BUNNING, Mr. BURTON of Indiana, Mr. CLINGER, Mr. COBLE, Mr. CRAIG, Mr. DORNAN of California, Mr. EMERSON, Mr. HASTERT, Mr. HERGER, Mr. HOLLOWAY, Mr. KYL, Mr. LAGOMARSINO, Mr. DONALD E. LUKENS, Mr. McMILLAN of North Carolina, Mrs. MEYERS of Kansas,

Mr. PACKARD, Mr. SENSENBRENNER, Mr. SHAW, Mrs. VUCANOVICH, Mr. WELDON, and Mr. WILSON):

H.R. 1757. A bill to amend the Impoundment Control Act of 1974 to provide that a rescission of budget authority proposed by the President takes effect unless Congress specifically adopts a joint resolution disapproving the proposed rescission; jointly, to the Committees on Government Operations and Rules.

By Mr. RITTER:

H.R. 1758. A bill to direct the Secretary of Transportation to carry out a highway demonstration project to extend Pennsylvania State Route 33 to provide a limited access highway to connect Interstate Routes I-78 and I-80; to the Committee on Public Works and Transportation.

By Mr. ROE (by request):

H.R. 1759. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. SCHUETTE (for himself and Mr. VANDER JAGT):

H.R. 1760. A bill to correct the tariff classification of certain chipper knife steel products; to the Committee on Ways and Means.

By Mr. BOSCO (for himself, Mrs. BOXER, and Ms. PELOSI):

H.J. Res. 233. Joint resolution to approve the designation of the Cordell Bank National Marine Sanctuary, to disapprove a term of that designation, and to direct the Secretary of Commerce to revise regulations implementing that designation to prohibit certain activities in the sanctuary; to the Committee on Merchant Marine and Fisheries.

By Mr. SOLOMON (for himself, Mr. HYDE):

H.J. Res. 234. Joint resolution to reform the War Powers Resolution by facilitating the effective discharge by the executive and legislative branches of their respective functions and responsibilities during time of armed conflict; jointly, to the Committees on Foreign Affairs and Rules.

By Mr. VENTO:

H.J. Res. 235. Joint resolution to designate April 28, 1989, as "Workers Memorial Day"; to the Committee on Post Office and Civil Service.

By Mr. MICHEL:

H. Res. 123. Resolution establishing the order of membership on the Committee on House Administration; considered and agreed to.

By Mr. DANNEMEYER (for himself, Mr. DORNAN of California, Mr. PACKARD, Mr. COX, and Mr. ROHRBACHER):

H. Res. 124. Resolution expressing the sense of the House of Representatives concerning the unified efforts of the Protestant, Catholic, and Jewish communities in southern California to combat the violence and intolerance of antisemitism; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. HUGHES, and Mr. SAXTON):

H. Res. 125. Resolution opposing the imposition of a Federal licensing fee for recreational and commercial marine fishing and a levy on the sale of commercial fish; jointly, to the Committees on Merchant Marine and Fisheries and Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. By the SPEAKER: Memorial of the Legislature of the State of Idaho, relative to the repeal of that section of law which requires prescreening for nursing home patients; to the Committee on Energy and Commerce.

55. Also, memorial of the Legislature of the State of Idaho, relative to the repeal of certain EPA regulations which impact on the small independent service station owner; to the Committee on Energy and Commerce.

56. Also, memorial of the Legislature of the State of Idaho, relative to proposing a constitutional amendment to clarify the 16th amendment to the Constitution; to the Committee on the Judiciary.

57. Also, memorial of the Legislature of the State of Arizona, relative to making permanent the highway trust fund and the user fees accruing to the fund; to the Committee on Public Works and Transportation.

58. Also, memorial of the Legislative Assembly of the State of North Dakota, relative to a port of entry at Fortuna, ND; to the Committee on Ways and Means.

59. Also, memorial of the Legislature of the State of Arizona, relative to opposition to increasing the Federal fuel taxes to reduce the Federal budget deficit; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mrs. PATTERSON, Mr. CARPER, Mr. COYNE, and Mr. LEHMAN of Florida.

H.R. 48: Mr. LIPINSKI, Mr. LANTOS, Mr. OWENS of Utah, Mr. MORRISON of Connecticut, and Mr. ROYBAL.

H.R. 82: Mrs. BOXER, Mr. PACKARD, Mr. SARPALIUS, Mr. MCCURDY, Mr. TALLON, Mr. DEFazio, Mr. STALLINGS, Mr. BURTON of Indiana, Mr. GREEN, Mr. INHOFE, and Mr. GILMAN.

H.R. 140: Mr. MINETA, Mr. CONYERS, Mr. ESPY, Ms. PELOSI, and Mr. DIXON.

H.R. 315: Mr. LELAND, Mr. SLATTERY, Mr. MCCLOSKEY, Mr. BATES, Mr. WALGREN, Mr. MANTON, Mr. OBERSTAR, Mrs. BOGGS, Mr. UDALL, Mr. KILDEE, Mr. FUSTER, Mr. DEFazio, Mr. SABO, Mr. PEPPER, Mr. SANGMEISTER, Mr. BROWN of California, Mr. FASCELL, Mr. OLIN, Mr. DE LUGO, Mr. HEFNER, Mr. FAUNTRON, Mr. CARR, Mr. TRAFICANT, Mr. FRANK, Mr. ATKINS, Mr. MARTINEZ, Mr. TORRES, Mr. PALLONE, Mr. EVANS, Mr. DORGAN of North Dakota, Mr. SWIFT, Mr. LANCASTER, Mrs. BOXER, Mr. TALLON, Mr. SHAYS, Mr. HOCHBRUECKNER, Mr. HAWKINS, Mr. WOLPE, Mr. GONZALEZ, Mr. FORD of Michigan, Mr. WAXMAN, Mr. LEVIN of Michigan, Mr. DYMALLY, Mr. VENTO, Mr. EDWARDS of California, Mr. MINETA, Mr. CLAY, Mr. LIPINSKI, Mrs. ROUKEMA, and Mr. FLAKE.

H.R. 563: Mr. OLIN, Mr. COLEMAN of Texas, and Mr. McMILLEN of Maryland.

H.R. 574: Mr. STUMP, Mr. HYDE, Mr. DANMEYER, Mr. SHUMWAY, Mrs. BENTLEY, Mr. SMITH of Mississippi, and Mr. INHOFE.

H.R. 651: Mr. TOWNS and Mr. HAYES of Illinois.

H.R. 743: Mr. SABO.

H.R. 744: Mr. UPTON, Mr. ROTH, and Mr. HANCOCK.

H.R. 780: Mr. JONES of Georgia, Mr. LIPINSKI, and Mr. PANETTA.

H.R. 786: Mrs. BENTLEY, Mr. LaFALCE, Mr. McEWEN, Mr. MONTGOMERY, Mr. STENHOLM, Mr. PARKER, Mr. ROWLAND of Georgia, Mr. HAYES of Louisiana, and Mr. BEREUTER.

H.R. 855: Mr. HAMILTON.

H.R. 872: Mr. BROWN of California, Mr. CONYERS, and Mr. FAZIO.

H.R. 939: Mr. BATES, Mr. TORRICELLI, Mr. AKAKA, Mr. MILLER of California, and Mr. ATKINS.

H.R. 995: Mr. BATES, Mr. BROWN of California, Mr. BARTON of Texas, Mr. FLORIO, Mr. JOHNSON of South Dakota, and Mr. FROST.

H.R. 1000: Mr. MFUME.

H.R. 1048: Mr. LAGOMARSINO, Mr. COYNE, Mr. BRYANT, Mr. SOLARZ, Mr. LELAND, Mr. ECKART, and Mr. LEACH of Iowa.

H.R. 1060: Mr. OWENS of New Jersey, Mr. SEXTON, Mrs. VUCANOVICH, Mr. JOHNSON of South Dakota, Mr. DWYER of New Jersey, Mr. JONTZ, and Mr. HERTEL.

H.R. 1085: Mr. LEWIS of Florida, Mr. ENGEL, and Mr. SOLOMON.

H.R. 1101: Mrs. VUCANOVICH, Mr. MONTGOMERY, Mr. SMITH of Florida, Mr. HUGHES, Mr. UDALL, and Mr. DWYER of New Jersey.

H.R. 1102: Mrs. BOXER, Mrs. ROUKEMA, Mr. SYNAR, Mr. DYMALLY, Mr. KILDEE, Mr. BILBRAY, Mr. PAYNE of New Jersey, Mr. AUCOIN, Mr. BATES, Mr. SMITH of Florida, Mr. SHAYS, Mr. VENTO, Mr. ECKART, Mr. LEVINE of California, Mr. TOWNS, Mrs. SCHROEDER, and Mr. MRAZEK.

H.R. 1136: Mr. BUNNING, Mr. HANCOCK, Mr. HATCHER, Mr. JONTZ, Mr. OXLEY, Mr. CALLAHAN, Mr. NAGLE, Mr. CONTE, Mr. VOLKMER, Mr. LIGHTFOOT, Mr. GRANDY, Mr. FLIPPO, Mr. ERDREICH, Mr. WHITTAKER, Mr. FEIGHAN, Mr. ALEXANDER, and Mr. SMITH of Iowa.

H.R. 1149: Mr. RANGEL.

H.R. 1185: Mr. HOCHBRUECKNER, Mr. WOLPE, Mr. JONES of North Carolina, Mr. MILLER of California, Mr. MATSUI, and Mr. CAMPBELL of Colorado.

H.R. 1190: Mr. JOHNSON of Florida.

H.R. 1216: Mr. SHAYS.

H.R. 1248: Mr. WALGREN, Mr. TORRICELLI, and Mr. LEVIN of Michigan.

H.R. 1249: Mr. WEISS.

H.R. 1262: Mr. BEREUTER.

H.R. 1267: Mr. ATKINS, Mr. CHAPMAN, Mr. RICHARDSON, Mr. BUECHNER, Mr. WOLF, and Mr. GARCIA.

H.R. 1351: Mr. McGRATH, Mr. EMERSON, Mr. DEWINE, Mrs. BENTLEY, Mr. DAVIS, and Mr. WALSH.

H.R. 1452: Mr. LEHMAN of Florida.

H.R. 1457: Mr. CONTE, Mrs. MARTIN of Illinois, Mr. COUGHLIN, Mr. PAYNE of New Jersey, Mr. DORGAN of North Dakota, Mr. STARK, and Mr. NEAL of North Carolina.

H.R. 1466: Mr. PURSELL and Mr. COURTER.

H.R. 1467: Mr. PURSELL and Mr. COURTER.

H.R. 1540: Mr. NEAL of North Carolina, Mr. OWENS of Utah, and Ms. KAPTUR.

H.R. 1544: Mr. LIPINSKI, Mr. BEREUTER, Mr. DE LUGO, Mr. FOGLIETTA, Mr. EVANS, Mr. DWYER of New Jersey, Mr. ATKINS, and Mr. MARKEY.

H.R. 1563: Mr. CLEMENT and Mr. HERTEL.

H.R. 1624: Mr. LAGOMARSINO.

H.R. 1648: Mr. SCHUMER and Mr. NEAL of North Carolina.

H.R. 1656: Mr. SCHULZE.

H.R. 1670: Mr. LEWIS of California and Mr. WALSH.

H.J. Res. 31: Mr. OWENS of Utah and Mr. SWIFT.

H.J. Res. 74: Ms. PELOSI, Mr. WALGREN, Mr. KOLTER, Mr. GARCIA, Mr. MRAZEK, Mr. HAYES of Illinois, Mr. COSTELLO, Mr. MOAKLEY, Mr. GUNDERSON, Mr. GORDON, Mr.

TAUKE, Mr. SAWYER, Mr. STARK, Mr. SKAGGS, and Mr. WOLPE.

H.J. Res. 81: Mr. MOORHEAD, Mr. WHITTAKER, Mr. STENHOLM, and Mr. DANMEYER.

H.J. Res. 131: Mr. MORRISON of Washington, Mr. MOORHEAD, and Mr. MORRISON of Connecticut.

H.J. Res. 150: Mr. KOLTER, Mr. KASICH, Mr. DEWINE, Mr. BATEMAN, Mr. STARK, Mr. SMITH of Texas, Mr. DONALD E. LUKENS, Mr. PARRIS, Mr. BLAZ, Mr. JOHNSTON of Florida, Mr. JENKINS, Mr. SCHULZE, and Mr. NIELSON of Utah.

H.J. Res. 168: Mr. TOWNS, Mr. SKELTON, Mr. HUGHES, Mr. DONALD E. LUKENS, and Mr. LAGOMARSINO.

H.J. Res. 204: Mr. GUNDERSON, Mr. WOLF, Mr. ERDREICH, Mr. HORTON, Mr. FAWELL, Mr. MATSUI, Mr. SHAYS, and Ms. KAPTUR.

H.J. Res. 208: Mr. LENT, Mrs. MORELLA, Mr. FLORIO, Mr. PARRIS, Mr. JENKINS, Mr. IRELAND, Mr. PARKER, Mr. COBLE, Mr. HATCHER, Ms. SLAUGHTER of New York, Mr. SANGMEISTER, Mr. LOWERY of California, Mr. WISE, Mr. ROWLAND of Georgia, Mr. RAY, Mr. MOLLOHAN, Mr. MORRISON of Connecticut, Mr. ENGEL, Mr. DARDEN, Mr. RINALDO, Mr. BURTON of Indiana, Mr. BUECHNER, Mr. CHANDLER, Mr. JONTZ, Mr. HOCHBRUECKNER, Mr. McMILLEN of Maryland, Mr. GILMAN, Mr. HOYER, and Mr. FRENZEL.

H. Con. Res. 23: Mr. PALLONE and Mr. YOUNG of Florida.

H. Con. Res. 73: Mr. FRENZEL, Mr. ATKINS, Mr. BUSTAMANTE, Mr. PANETTA, Mr. GLICKMAN, and Mr. FLORIO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1078: Mr. BONIOR.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1487

By Mr. DYMALLY:

—Page 10, after line 20, insert the following new section (and amend the table of contents accordingly):

SEC. 106. AVAILABILITY OF FUNDS.

Section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 269b) is amended by adding after subsection (d) the following new subsection:

"(e) Amounts authorized to be appropriated for a fiscal year for the Department of State or to the Secretary of State are authorized to be obligated in such fiscal year for contracts for periods not exceeding 12 months which are to be performed in 2 fiscal years."

—Page 20, after line 5, add the following new section (and amend the table of contents accordingly):

SEC. 133. FEES AND REIMBURSEMENTS.

The State Department Basic Authorities Act of 1956 is amended—

(1) by redesignating section 44 as section 45; and

(2) by inserting after section 43 the following new section:

"Sec. 44. (a) Notwithstanding any other provision of law, for fiscal years 1990 and 1991 funds received by the Department in

connection with the use of Blair House (including fees for use of Blair House facilities and reimbursements and surcharges for services and goods provided) may be credited to the appropriate appropriation account of the Department and shall be available only for maintenance and other expenses of Blair House.

"(b) The authority of this section may be exercised only to such extent and in such amounts as are provided in advance in appropriation Acts."

—Page 20, after line 5, add the following new section (and amend the table of contents accordingly):

SEC. 133. INTERNATIONAL CENTER.

Section 4 of the International Center Act is amended by inserting after subsection (b) the following new subsection (c):

"(c) The Department of State is authorized to require the payment of a fee by other executive agencies of the United States for the lease or use of facilities located at the International Center and used for the purposes of security and maintenance. Any payments received for lease or use of such facilities shall be credited to the account entitled 'International Center, Washington, District of Columbia' and shall be available, to such extent and in such amounts as are provided in advance in appropriations Acts, without fiscal year limitation, for operation and maintenance expenses of such facilities including administration, maintenance, utilities, repairs and alterations."

—Page 20, after line 5, add the following new section (and amend the table of contents accordingly):

SEC. 133. PILOT PROGRAM FOR CHILD CARE FACILITIES AT CERTAIN POSTS ABROAD.

Section 31 of the State Department Basic Authorities Act of 1956 is amended by adding after subsection (d) the following new subsection:

"(e) For fiscal years 1990 and 1991, the Secretary of State is authorized to assist in the establishment, operation, and maintenance of non-Government operated child care facilities at posts abroad where the Secretary determines that due to extraordinary circumstances such facilities are necessary to the efficient operation of the post. Such assistance may include grants and subsidies to such a facility to offset in part the cost of such care. In making a determination that assistance under this subsection is necessary, the Secretary shall consider—

"(1) whether Foreign Service spouses are encouraged to work at the mission because—

"(A) the number of members of the mission is subject to a ceiling imposed by the receiving country; or

"(B) foreign nationals are not employed at the mission; and

"(2) whether local child care is available."

—Page 22, after line 3, add the following new section (and amend the table of contents accordingly):

SEC. 144. MODIFICATION OF PREFERENCE FOR UNITED STATES CONTRACTORS IN DIPLOMATIC CONSTRUCTION PROGRAM.

(a) MODIFICATION OF PREFERENCE.—Section 402(a) of the Diplomatic Security Act (22 U.S.C. 4852) is amended in paragraph (2) to read as follows:

"(2) bid on a diplomatic construction or design project which involves physical or technical security, unless the project—

"(A) involves nonsophisticated, low-level technology, as determined by the Assistant Secretary for Diplomatic Security;

"(B) is for the design or construction of a facility that does not process or store classified material; and

"(C) does not exceed a total value of \$500,000."

(b) REPORT TO CONGRESS.—The Secretary of State shall prepare and submit to the Congress an annual report concerning the implementation of the amendment made by subsection (a) of this section.

—Page 35, strike line 21 and all that follows through line 15 on page 36 and insert the following new section:

SEC. 154. DANGER PAY ALLOWANCE.

The Secretary of State may not deny a request by the Drug Enforcement Administration to authorize a danger pay allowance for any employee of such agency, in accordance with the authorities granted in section 5928 of title 5, United States Code.

—Page 39, after line 25, add the following new section (and amend the table of contents accordingly):

SEC. 157. AUTHORITY TO TRANSFER RETIREMENT CONTRIBUTIONS FOR FOREIGN SERVICE NATIONALS TO LOCAL PLANS.

(a) LIMITED OPTION TO TRANSFER TO LOCAL PLAN.—Section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968) is amended by inserting at the end of subsection (a) the following new paragraph:

"(3)(A) Where a foreign national employee so elects during a one-year period established by the Secretary of State with respect to each post abroad, the Secretary of the Treasury (at the direction of the Secretary of State) shall transfer such employee's interest in the Civil Service Retirement and Disability Fund to a trust or other local retirement plan certified by the United States Government, under a local compensation plan established for foreign national employees pursuant to this section (excluding local social security plans).

"(B) For purposes of this paragraph, an employee's 'interest in the Civil Service Retirement and Disability Fund' means the sum of employee and all employing agency contributions with respect to such employee (pursuant to sections 8331(8) and 8334(a)(1) of title 5, United States Code) and interest at the rate provided by section 8334(e)(3) of title 5, United States Code. Any such transfer shall void any annuity rights or entitlement to lump sum credit under subchapter III of chapter 83 of title 5, United States Code."

(b) EFFECT OF TRANSFER.—Section 8345 of title 5, United States Code, is amended by adding at the end thereof a new subsection (1), as follows:

"(1) Transfers of contributions and deposits authorized by section 408(a)(3) of the Foreign Service Act of 1980 shall be considered a complete and final payment of benefits under this chapter."

—Page 39, after line 25, add the following new section (and amend the table of contents accordingly):

SEC. 157. JUDICIAL REVIEW—SEPARATION FOR CAUSE.

Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end of subsection (a)(2) the following new sentence: "Section 1110 shall apply to proceedings under this paragraph."

—Page 39, after line 25, add the following new section (and amend the table of contents accordingly):

SEC. 157. TRAVEL, LEAVE, AND OTHER BENEFITS.

Section 901 of Chapter 9 of the Foreign Service Act of 1980 (22 U.S.C. 4081) is amended in paragraph (9) to read as follows:

"(9) roundtrip travel to or from an employee's post of assignment for purposes of family visitation in emergency situations involving personal hardship, except that payment for travel by family members to an employee's post of assignment may be authorized under this paragraph only where the family of the member is prevented by official order from residing at such post;"

—Page 39, after line 25, add the following new section (and amend the table of contents accordingly):

SEC. 157. CREDIT FOR SERVICE AT UNHEALTHFUL POSTS.

(a) APPLICATION TO DETERMINATIONS OF ELIGIBILITY FOR FORMER SPOUSES.—Section 816(i)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4056) is amended to read as follows:

"(2) A former spouse shall not be considered as married to a participant for periods assumed to be creditable service under section 808(a) or section 809(e)."

(b) TERMINATION OF EXTRA CREDIT FOR RETIREMENT PURPOSES.—Section 817 of the Foreign Service Act of 1980 (22 U.S.C. 4057) is amended by adding at the end the following: "Such extra credit may not be used to determine the eligibility of a person to qualify as a former spouse under section 804(10). No extra credit for service at unhealthful posts may be given under this section for any service as part of a tour of duty, or extension thereof, commencing on or after the effective date of the Foreign Relations Authorization Act, Fiscal years 1990 and 1991."

—Page 51, after line 10, add the following new section (and amend the table of contents accordingly):

SEC. 212. AUTHORITIES REGARDING EMPLOYMENT OF ALIENS.

Section 804 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474) is amended in paragraph (1) by inserting "when job vacancies occur," after "available".

—Page 51, strike line 11 and all that follows through line 16 on page 60, and insert the following new part (and amend the table of contents accordingly):

PART B—TELEVISION BROADCASTING TO CUBA

SEC. 221. SHORT TITLE.

This part may be cited as the "Television Broadcasting to Cuba Act".

SEC. 222. FINDINGS AND PURPOSES.

The Congress finds and declares that—

(1) it is the policy of the United States to support the right of the people of Cuba to seek, receive, and impart information and ideas through any media and regardless of frontiers, in accordance with article 19 of the Universal Declaration of Human Rights;

(2) consonant with this policy, television broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba and, in particular, information about Cuba;

(3) television broadcasting to Cuba, operated in a manner not inconsistent with the broad foreign policy of the United States and in accordance with high professional standards, would be in the national interest;

(4) facilities broadcasting television programming to Cuba must be operated in a manner consistent with applicable regulations of the Federal Communications Commission, and must not affect the quality of domestic broadcast transmission or reception; and

(5) the Voice of America's Radio Marti program already broadcasts to Cuba information that represents America, not any single segment of American society, and includes the balanced and comprehensive projection of significant American thought and institutions, but there is a need for television broadcasts to Cuba which provide news, commentary, and other information about events in Cuba and elsewhere to promote the cause of freedom in Cuba.

SEC. 223. TELEVISION BROADCASTING TO CUBA.

(a) **TELEVISION BROADCASTING TO CUBA.**—In order to carry out the purposes set forth in section 222 and notwithstanding the limitation of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) with respect to the dissemination in the United States of information prepared for dissemination abroad to the extent such dissemination is inadvertent, the United States Information Agency (hereafter in this part referred to as the "Agency") shall provide for the open communication of information and ideas through the use of television broadcasting to Cuba. Television broadcasting to Cuba shall serve as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

(b) **VOICE OF AMERICA STANDARDS.**—Television broadcasting to Cuba under this part shall be in accordance with all Voice of America standards to ensure the broadcast of programs which are objective, accurate, balanced, and which present a variety of views.

(c) **USIA TELEVISION MARTI.**—Any program of United States Government television broadcasts to Cuba authorized by this section shall be designated "USIA Television Marti Program".

(d) FREQUENCY ASSIGNMENT.

(1) Subject to the Communications Act of 1934, the Federal Communications Commission shall have the authority to assign by order a suitable frequency to further the national interests expressed by this Act, except that no such assignment shall result in objectionable interference with the broadcasts of any domestic licensee.

(2) In furtherance of the purposes of paragraph (1), the Federal Communications Commission may modify the license or permit of a television broadcast licensee or permittee. Notwithstanding any provision of the Communications Act of 1934, no such order to modify the license shall become final until the licensee shall have been notified in writing of the proposed action and the grounds and reasons therefore, and shall have been given reasonable opportunity, in no event less than 30 days, to show cause by public hearing, if requested, why such modification should not issue.

(3) For purposes of section 305 of the Communications Act of 1934, a television broadcast station established for purposes of this part shall be treated as a government station, but the Federal Communications Commission shall exercise the authority of the President under such section to assign a frequency to such station.

(e) **INTERFERENCE WITH DOMESTIC BROADCASTING.**—(1) Broadcasting by the Service shall be conducted in accordance with such parameters as shall be prescribed by the Federal Communications Commission to preclude objectionable interference with the broadcasts of any domestic licensee. The Federal Commission shall monitor the operations of television broadcasting to Cuba pursuant to section 227(e) of this Act. If, on the basis of a complaint from any person,

the Federal Communications Commission determines, in its discretion, that broadcasting by the Service is causing any objectionable interference with the transmission or reception of the broadcasts of a domestic licensee, the Federal Communications Commission shall direct the Service to cease broadcasting and to eliminate the objectionable interference. Broadcasts by the Service shall not be resumed until the Federal Communications Commission finds that the objectionable interference has been eliminated and will not recur.

(2) The Federal Communications Commission shall take such actions as are necessary and appropriate to assist domestic licensees in overcoming the adverse effects of objectionable interference caused by broadcasting by the Service. Such assistance may include the authorization of nondirectional increases in the effective radiated power of domestic television stations so that its coverage is equivalent to the maximum allowable for such facilities, to avoid any adverse effect on such stations of the broadcasts of the Television Marti Service.

(f) **USIA AUTHORITY.**—The Agency may carry out the purposes of this part by means of grants, leases, or contracts (subject to the availability of appropriations), or such other means as the Agency determines will be most effective.

SEC. 224. TELEVISION MARTI SERVICE OF THE UNITED STATES INFORMATION AGENCY.

(a) **TELEVISION MARTI SERVICE.**—The Director of the United States Information Agency shall establish within the Agency a Television Marti Service. The Service shall be responsible for all television broadcasts to Cuba authorized by section 223. The Director of the United States Information Agency shall appoint a head of the Service who shall report directly to the Director. The head of the Service shall employ such staff as the head of the Service may need to carry out the duties of the Service. The Service shall be administered separately from other television functions of the United States Information Agency.

(b) **USE OF EXISTING FACILITIES OF THE USIA.**—To assure consistency of presentation and efficiency of operations in conducting the activities authorized under this part, the Service shall make maximum feasible utilization of Agency facilities and management support, including Voice of America: Radio Marti program, Voice of America, and the United States Information Agency Television Service.

SEC. 225. AMENDMENTS TO THE RADIO BROADCASTING TO CUBA ACT.

(a) **ADVISORY BOARD FOR CUBA BROADCASTING.**—Section 5 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465c) is amended—

(1) by amending the heading to read as follows: "ADVISORY BOARD FOR CUBA BROADCASTING";

(2) by amending subsections (a) and (b) to read as follows:

"(a) There is established within the Office of the President the Advisory Board for Cuba Broadcasting (hereafter in this Act referred to as the 'Board'). The Board shall consist of nine members, appointed by the President by and with the advice and consent of the Senate, of whom not more than five shall be members of the same political party. The President shall designate one member of the Board to serve as chairperson.

"(b) The Board shall review the effectiveness of the activities carried out under this Act and the Television Broadcasting to

Cuba Act and shall make recommendations to the President and the Director and Associate Director for Broadcasting of the United States Information Agency as it may consider necessary."

(3) by amending subsection (d) to read as follows:

"(d) The head of the Cuba Service and the head of the Television Marti Service shall serve, ex officio, as members of the Board," and

(4) in the last sentence of subsection (e) by striking "The ex officio member" and inserting "The ex officio members".

(b) **REFERENCES.**—A reference in any provision of law to the "Advisory Board for Radio Broadcasting to Cuba" shall be considered to be a reference to the "Advisory Board for Cuba Broadcasting".

(c) **CONTINUED SERVICE OF MEMBERS OF BOARD.**—Members of the Advisory Board for Radio Broadcasting to Cuba as in existence on the day before the effective date of the amendment made by subsection (a) shall continue to serve for the remainder of the term to which each such member was appointed as members of the Advisory Board for Cuba Broadcasting.

(d) **WAIVER.**—Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended in the first sentence by inserting before the comma "and notwithstanding the limitation of section 501 of the United States Information and Educational Exchange Act of 1948 with respect to the dissemination in the United States of information prepared for dissemination abroad to the extent such dissemination is inadvertent".

(e) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (d) shall take effect on the date of the enactment of this Act.

SEC. 226. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.

In order to assist the United States Information Agency in carrying out the provisions of this part, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Agency.

SEC. 227. FACILITY COMPENSATION.

(a) **CLAIMS AGAINST CUBA.**—It is the intent of the Congress that the Secretary of State should seek prompt and full settlement of United States claims against the Government of Cuba arising from Cuban interference with television and radio broadcasting in the United States. Pending the settlement of these claims, it is appropriate to provide some interim assistance to the United States broadcasters who are adversely affected by Cuban television and radio interference and who seek to assert their right to measures to counteract the effects of such interference.

(b) **PAYMENTS TO UNITED STATES TELEVISION BROADCAST LICENSEES.**—The Agency may make payments to the United States television and radio broadcast licensees upon their application for expenses which they have incurred before, on, or after the date of this Act in mitigating (1) the effects of activities by the Government of Cuba which directly interfere with the transmission or reception of broadcasts by such licensees, and (2) the direct interference caused by the transmission of television broadcasting to Cuba with the transmission or reception of broadcasts by such licensees. Such expenses shall be limited to the costs

of equipment replaced (less depreciation) and associated technical, engineering, and other reasonable and prudent expenses.

(c) **REGULATIONS.**—The Federal Communications Commission shall issue such regulations and establish such procedures for carrying out this section as the Federal Communications Commission finds appropriate. The Federal Communications Commission shall ensure that such regulations do not impose an undue burden on domestic licensees. Such regulations shall be issued no later than 180 days after the date of the enactment of this Act.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) There are authorized to be appropriated to the United States Information Agency \$5,000,000 for use in compensating United States television and radio broadcasting licensees pursuant to this section.

(2) When sums appropriated pursuant to paragraph (1) have been expended, \$5,000,000 of such other funds as are appropriated (after the date of enactment of this Act) to the United States Information Agency shall be available for use in compensating United States television and radio broadcasting licensees pursuant to this section.

(3) Amounts appropriated or otherwise made available under this section are authorized to be available until expended.

(e) **MONITORING OF INTERFERENCE.**—The Federal Communications Commission shall continually monitor and periodically report to the appropriate committees of the Congress interference to domestic broadcast licensees—

(1) from the operation of Cuban television and radio stations; and

(2) from the operations of the television broadcasting to Cuba.

(f) **TASK FORCE.**—It is the sense of the Congress that the President should establish a task force to analyze the level of interference from the operation of Cuban television and radio stations experienced by broadcasters in the United States and to seek a practical political and technical solution to this problem.

(g) **EFFECTIVE DATE.**—This section shall take effect on October 1, 1989.

SEC. 228. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts under section 201, there are authorized to be appropriated to the United States Information Agency, \$16,000,000 for fiscal year 1990 and \$16,000,000 for fiscal year 1991 for television broadcasting to Cuba in accordance with the provisions of this part.

(b) **LIMITATION.**—

(1) Subject to paragraph (2), no funds authorized to be appropriated under subsection (a) may be obligated or expended unless the President determines and notifies the Congress that the test of television broadcasting to Cuba (as authorized by title V of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1989 (Public Law 100-459)) has demonstrated television broadcasting to Cuba is feasible and will not interfere with the broadcasts of licensees. The Federal Communications Commission shall furnish to the appropriate committees of Congress all interim and final reports and other appropriate documentation concerning objectionable interference from television broadcasting to Cuba to domestic television licensees.

(2) Not less than 30 days before the President makes the determination under paragraph (1), the President shall submit a

report to the Congress which includes the findings of the test of television broadcasting to Cuba.

(c) **AVAILABILITY.**—Amounts appropriated under this section are authorized to be made available until expended.

SEC. 229. DEFINITIONS.

As used in this part—

(1) the term "licensee" has the meaning provided in section 3(c) of the Communications Act of 1934;

(2) the term "appropriate committees of Congress" includes the House Foreign Affairs Committee, the House Energy and Commerce Committee, the Senate Committee on Foreign Relations, and the Senate Committee on Commerce, Science, and Transportation; and

(3) the term "Service" means the Television Marti Service established pursuant to section 224(a) of this Act.

—Page 20, after line 5, add the following new section (and amend the table of contents accordingly):

SECTION 133. VOLUNTARY PILOT PROGRAM FOR INCREASED PARTICIPATION BY ECONOMICALLY AND SOCIALLY DISADVANTAGED ENTERPRISES IN FOREIGN RELATIONS ACTIVITIES.

(a) **ESTABLISHMENT OF PILOT PROGRAM FOR VOLUNTARY SET-ASIDES.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State (in consultation with the Director of the United States Information Agency) shall prepare and transmit a detailed plan for the establishment of a pilot program of voluntary set-asides for increased participation by economically and socially disadvantaged enterprises in programs and activities of the Department of State and the United States Information Agency to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(b) **REPORT TO CONGRESS.**—Such plan shall include—

(1) a description of where such pilot program will be located in each such agency's organizational structure and what relevant lines of authority will be established;

(2) a listing of the specific responsibilities that will be assigned to the pilot program to enable it to increase, in a rational and effective manner, participation of economically and socially disadvantaged enterprises in activities funded by such agencies;

(3) a detailed design for a time-phase system for bringing about expanded participation by economically and socially disadvantaged enterprises, including—

(A) specific recommendations for percentage allocations of contracts, subcontracts, procurement, grants, and research and development activities by such agencies to such enterprises; and

(B) particular consideration of the participation of economically and socially disadvantaged enterprises in activities in the areas of communications, telecommunications, and information systems;

(4) a proposed reporting system that will permit objective measuring of the degree of participation of economically and socially disadvantaged enterprises in comparison to the total activities funded by such agencies;

(5) a detailed projection of the administrative budgetary impact of the establishment of the pilot program; and

(6) a detailed set of objective criteria upon which determinations will be made as to the qualifications of economically and socially disadvantaged enterprises to receive contracts funded by such agencies.

(c) **OBJECTIVES.**—The objective of the pilot program shall be to increase the participation of economically and socially disadvantaged business enterprises in contract, procurement, grant, and research and development activities funded by the agencies.

(d) **RESPONSIBILITIES.**—The pilot program shall—

(1) establish, maintain, and disseminate information to, and otherwise serve as an information clearinghouse for, economically and socially disadvantaged business enterprises regarding business opportunities funded by the agencies;

(2) design and conduct projects to encourage, promote, and assist economically and socially disadvantaged business enterprises to secure direct contracts, host country contracts, subcontracts, grants, and research and development contracts in order for such enterprises to participate in programs funded by the Department of State and the United States Information Agency;

(3) conduct market research, planning, economic and business analyses, and feasibility studies to identify business opportunities funded by such agencies;

(4) develop support mechanisms which will enable socially and economically disadvantaged enterprises to take advantage of business opportunities in programs funded by such agencies; and

(5) enter into such contracts (to such extent or in such amounts as are provided in appropriation Acts), cooperative agreements, or other transactions as may be necessary in the conduct of its functions under this section.

(e) **RESPONSIBILITIES OF THE SECRETARY.**—The Secretary of State (after consultation with the Director of the United States Information Agency) shall provide the pilot program with such relevant information, including procurement schedules, bids, and specifications with respect to programs funded by the Department of State and the United States Information Agency, as may be requested by the pilot program in connection with the performance of its functions under this section.

(f) **DEFINITIONS.**—

(1) For the purpose of this section the term "economically and socially disadvantaged enterprise" means a business—

(A) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(B) whose management and daily business operations are controlled by one or more such individuals.

(2) Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.

(g) **REPORTS TO CONGRESS.**—For each of the fiscal years 1990 and 1991, the Secretary of State shall prepare and submit a report concerning the implementation of the pilot program under this section to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

—Page 71, after line 4, add the following new section (and amend the table of contents accordingly):

SEC. 606. REPORT ON UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit a report on the activities after December 31, 1984, of the United Nations Educational, Scientific, and Cultural Organization.

—Page 6, after line 23, insert the following:

(3) Notwithstanding section 727 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204), of the amounts authorized to be appropriated by paragraph (1), \$100,000 shall be available only for the United States Commission on Improving the Effectiveness of the United Nations.

—Page 71, after line 4, insert the following new section (and amend the table of contents accordingly):

SEC. 606. UNITED STATES COMMISSION ON IMPROVING THE EFFECTIVENESS OF THE UNITED NATIONS.

Section 727 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) is amended in subsection (b) by inserting before the period at the end of such subsection “; whichever is greater”.

—Page 22, after line 3, add the following new section (and amend the table of contents accordingly):

SEC. 144. REPORT CONCERNING COMPENSATION AND DIPLOMATIC IMMUNITY.

(a) **REPORT TO CONGRESS.**—The Secretary of State shall prepare and submit a report to the Congress which considers the need and feasibility of establishing a program which makes compensation awards to citizens and permanent residents of the United States for physical injury or financial loss which is the result of criminal activity reasonably believed to have been committed by individuals with immunity from criminal jurisdiction as a result of international obligations of the United States arising from multilateral agreements, bilateral agreements, or international law.

(b) **CONTENTS OF REPORT.**—Together with such other information as the Secretary considers appropriate, the report shall include—

(1) a plan and feasibility analysis for the establishment of such a program, including—

(A) specific recommendations for funding, administration, and procedures and standards for compensation and payment of awards; and

(B) particular consideration of the feasibility of an appeals mechanism;

(2) an assessment of the feasibility of establishing a fund, the availability of existing accounts, or other sources of funding for the program; and

(3) consideration of other possible mechanisms for compensation or reimbursement, including direct compensation by the individual with immunity from criminal jurisdiction or by the sending country of that individual.

(c) **SUBMISSION OF REPORT.**—Not more than 180 days after the date of the enactment of this Act, the Secretary of State shall submit the report to the appropriate committees of the Congress.

—Page 22, after line 3, add the following new section (and amend the table of contents accordingly):

SEC. 144. INCREASED PARTICIPATION OF UNITED STATES CONTRACTORS IN LOCAL GUARD CONTRACTS ABROAD UNDER THE DIPLOMATIC SECURITY PROGRAM.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) State Department policy concerning the advertising of security contracts at foreign service buildings has been inconsistent over the years. In many cases, diplomatic and consular posts abroad have been given the responsibility to determine the manner in which the private sector was notified concerning an invitation for bids or request for proposals with respect to a local guard contract. Some United States foreign missions have only chosen to advertise locally the availability of a local security guard contract abroad.

(2) As a result, many United States security firms that provide local guard services abroad have been unaware that local guard contracts were available for bidding abroad and such firms have been disadvantaged as a result.

(3) Undoubtedly, United States security firms would be interested in bidding on more local guard contracts abroad if such firms knew of the opportunity to bid on such contracts.

(b) **OBJECTIVE.**—It is the objective of this section to improve the efficiency of the local guard programs abroad administered by the Bureau of Diplomatic Security and to ensure maximum competition for local guard contracts abroad concerning foreign service buildings.

(c) **PARTICIPATION OF UNITED STATES CONTRACTORS IN LOCAL GUARD CONTRACTS ABROAD.**—With respect to local guard contracts for a foreign service building which exceed \$250,000 and are entered into after September 30, 1989, the Secretary of State shall—

(1) establish procedures to ensure that all solicitation for such contracts are adequately advertised in the Commerce and Business Daily;

(2) establish procedures to ensure that appropriate measures are taken by diplomatic and consular post management to assure that United States persons and qualified United States joint venture persons are not disadvantaged during the solicitation and bid evaluation process due to their distance from the post; and

(3) give preference to United States persons and qualified United States joint venture persons where such persons are price competitive to the non-United States persons bidding on the contract, are properly licensed by the host government, and are otherwise qualified to carry out all the terms of the contract.

(d) **DEFINITIONS.**—For the purposes of this section—

(1) the term “United States person” means a person which—

(A) is incorporated or legally organized under the laws of the United States, including the laws of any State, locality, or then District of Columbia;

(B) has its principal place of business in the United States;

(C) has been incorporated or legally organized in the United States for more than 2 years before the issuance date of the invitation for bids or request for proposals with respect to the contract under subsection (c);

(D) has performed within the United States and overseas security services similar in complexity to the contract being bid;

(E) with respect to the contract under subsection (c), has achieved a total business

volume equal to or greater than the value of the project being bid in 3 years of the 5 year period before the date specified in subparagraph (C);

(F)(i) employs United States citizens in at least 80 percent of its principal management positions in the United States; and

(ii) employs United States citizens in more than half of its permanent, full time positions in the United States; and

(G) has the existing technical and financial resources in the United States to perform the contract;

(2) the term “qualified United States joint venture person” means a joint venture in which a United States person or persons owns at least 51 percent of the assets of the joint venture; and

(3) the term “foreign service building” means any building or grounds of the United States which is in a foreign country and is under the jurisdiction and control of the Secretary of State including residences of United States personnel assigned overseas under the authority of the Ambassador.

(e) **AMERICAN MINORITY CONTRACTORS.**—Not less than 10 percent of the amount of funds obligated for local guard contracts for foreign service buildings subject to subsection (c) shall be allocated to the extent practicable for contracts with American minority small business contractors.

(f) **AMERICAN SMALL BUSINESS CONTRACTORS.**—Not less than 10 percent of the amount of funds obligated for local guard contracts for foreign service buildings subject to subsection (c) shall be allocated to the extent practicable for contracts with American small business contractors.

(g) **LIMITATION OF SUBCONTRACTING.**—With respect to local guard contract subject to subsection (c), a prime contractor may not subcontract more than 50 percent of the total value of its contract for that project.

—Page 20, after line 5, add the following new section (and amend the table of contents accordingly):

SEC. 133. MIDDLE EAST REPORTS.

(a) **REPORTS CONCERNING COMMITMENTS OF THE PALESTINE LIBERATION ORGANIZATION.**—

(1) Not more than 30 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall prepare and submit to the Congress a report concerning the actions and statements of the Palestine Liberation Organization as they relate to the carrying out of the commitments of such organization made in Geneva on December 14, 1988, regarding the renunciation of terrorism and recognition of Israel's right to exist.

(2) In addition to any reports under paragraph (1), the Secretary of State shall report to the Congress when there are changes in the procedural or substantive status of the dialogue with the Palestine Liberation Organization.

(3) For the purpose of providing information required by paragraph (1), the term “actions and statements by the Palestine Liberation Organization” shall include actions and statements of the chairman, members of the Executive Committee, the constituent groups comprising the Palestine Liberation Organization, and the Palestine National Council.

(b) **REPORT CONCERNING THE ARAB STATES AND THE PEACE PROCESS.**—Not more than 30 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report concerning the policies of Arab states toward

the Middle East peace process, including progress toward—

(1) public recognition of Israel's right to exist in peace and security;

(2) ending the Arab economic boycott of Israel; and

(3) ending efforts to expel Israel from international organizations or denying participation in the activities of such organizations.

—Page 71, line 21, insert "in advance" after "provided".

—Page 71, after line 4, insert the following new section (and amend the table of contents accordingly):

SEC. 606. SENSE OF CONGRESS CONCERNING AN ENHANCED ROLE FOR THE INTERNATIONAL COURT OF JUSTICE IN RESOLUTION OF INTERNATIONAL DISPUTES.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) In 1945 the United States supported the establishment of the International Court of Justice (ICJ) to provide for the orderly resolution of disputes among nations under the rule of law.

(2) The United States, pursuant to Article 93 of the Charter of the United Nations, is also a party to the Statute of the International Court of Justice which provides in Article 36(1) that the International Court of Justice will have jurisdiction over "all cases

which the parties refer to it and all matters specifically provided for in the Charter of the United Nations or in treaties and conventions in force".

(3) In August 1946 the United States, pursuant to Senate advice and consent (61 Stat. 1218), voluntarily accepted the compulsory jurisdiction of the International Court of Justice in other international disputes under Article 36(2) of the Statute of the International Court of Justice, on certain conditions, and maintained such recognition for four decades from 1946 to 1986 when United States acceptance was terminated.

(4) The United States has utilized the International Court of Justice on numerous occasions to resolve disputes with other nations.

(5) In April 1984, the United States notified the Secretary General of the United Nations that the United States was suspending for two years its acceptance of the compulsory jurisdiction of the International Court of Justice in cases relating to Central America.

(6) In 1985, the United States announced it was terminating, in whole, United States acceptance (effective April 1, 1986) of the compulsory jurisdiction of the International Court of Justice.

(7) The Soviet Union, as a member of the United Nations, is also a party to the Stat-

ute of the International Court of Justice and is thus bound by Article 36(1).

(8) The Soviet Union, unlike the United States, has not since the inception of the International Court of Justice voluntarily accepted the compulsory jurisdiction of the ICJ under Article 36(2) or taken any other case voluntarily to the court.

(9) Soviet leader Mikhail Gorbachev, in his address to the United Nations in December of 1988 said: "We believe that the jurisdiction of the International Court of Justice at the Hague as regards the interpretation and implementation of agreements on human rights should be binding on all states."

(10) The Legal Advisor of the State Department is holding discussions with Soviet officials and representatives of other permanent members of the United Nations Security Council and other states to determine whether and how the International Court of Justice might be used for the peaceful settlement of international disputes through procedures that assure fairness and the protection of legitimate national interests.

(b) **SENSE OF CONGRESS.**—The Congress commends and strongly supports efforts by the United States to broaden the compulsory jurisdiction and enhance the effectiveness of the International Court of Justice.

EXTENSIONS OF REMARKS

TRIBUTE TO GEN. DRAGOLJUB
DRAZA MIHAILOVICH

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. CRANE. Mr. Speaker, it is important to remember, on the 96th anniversary of his birth, the sacrifice Yugoslavian Gen. Dragoljub Draza Mihailovich made for the United States and our Western Allies during World War II. General Mihailovich was one of the foremost resistance leaders in Nazi-occupied Europe, yet his story is often forgotten or ignored.

Despite the fact that he rescued over 500 downed Allied airmen over the course of the war, the general and his army, called the Chetniks, was abandoned by the Western Allies, at least in part as a result of the misleading and often fabricated reports being fed to the British Government through Communists within the British intelligence network. Subsequently, the British Government began to support Tito, as did the United States, even though it was evident that he and his followers were ardent Communists.

In order to give General Mihailovich the proper place in history he so richly deserves, I have introduced House Joint Resolution 156, to authorize the construction of a public monument in his memory. The National Commission of American Airmen Rescued by General Mihailovich has agreed to finance all construction and maintenance costs.

I urge my colleagues and fellow Americans to read the following account of the career of General Mihailovich, written by Mr. Milos Acin-Kosta, an author of many books on General Mihailovich. Even if we cannot immediately fulfill his dream for a free, democratic Yugoslavia, we can at least honor General Mihailovich for his efforts to see that dream become a reality.

REMEMBER GENERAL MIHAILOVICH, MARCH 27,
1893—JULY 17, 1946

During World War II, Yugoslavia became the battlefield of bloody guerrilla warfare between the Yugoslav Army in the Homeland (YAH), under the command of General Dragoljub Draza Mihailovich—to whom the people had given the singularly affectionate title *chicha* (Uncle)—and the German occupation forces, their Allies, and the indigent traitors who had collaborated with them.

Immediately after the German attack on the Soviet Union at the end of June 1941, Yugoslavia became the scene of a cruel civil war between the legally designated YAH and Stalinist-armed local units.

General Staff Colonel Mihailovich was successively promoted during the course of the war to Brigadier General, Major General, and finally to General. As a general, he was the Chief-of-Staff of the High Command and the Minister of the Army, Navy, and Air Force in the legal Yugoslav Government.

Mihailovich was the only Allied Minister of War and the Chief-of-Staff of the High Command which was active and fought on the territory of occupied Yugoslavia.

In Yugoslavia, the war began on April 6, 1941 with a brutal Nazi air attack on the open city of Belgrade. The April campaign was short. The overwhelming superiority of the German army forced the Yugoslav High Command to sign the Article of Capitulation. The capitulation horrified the traditionally independent Serbs and stunned the Slovenes. The Croats, however, were exhilarated, and welcomed the Germans into Zagreb with flowers. At the same time the capitulation inspired the Communists, because at that time the Hitler-Stalin Non-aggression Pact was in force.

Colonel Mihailovich, a Serbian from Ivanjica, was at a Bosnian town called Doboj when he received the capitulation order. He refused to carry out the order of the High Command saying, "I do not recognize the capitulation."

By rejecting the capitulation, although the whole Europe capitulated, Chicha entered into the history of Serbia, of Yugoslavia, of Europe, and of the World in the singular struggle for freedom which reached the epic level of the historical Serbian Battle of Kosovo of 1389.

Mihailovich had been twice-wounded on the Salonica Front and was experienced in battle against the Germans and the Bulgarians. As an officer of the Serbian epoch of Liberation and Reunification of 1912-1913, nurtured in the traditional spirit of the expression, "Liberty or Death," the capitulation order was worse than death itself. Even before World War II, as a young officer Mihailovich had advanced the idea of a guerrilla (Chetnik in Serbian) war as a lecturer on Tactics among his fellow officers at the Military Academy and the Advanced Military School. The decision to continue the struggle against the invaders as a guerrilla leader rather than to capitulate was quite natural to this specialist in guerrilla (Chetnik) warfare. On the eve of World War II, Mihailovich had made a full report on the subject of guerrilla warfare to the then Minister of War, General Milan Nedic. The Minister reprimanded him for his report and sought to relieve him of his duties as a general staff officer.

Ironically, one year later, Mihailovich rejected the capitulation, General Nedic became a collaborator, and the first guerrilla units were formed by the colonel. As the first guerrilla (Chetnik) leader of World War II, he declared on May 8, 1941, the formation of the GHQ of YAH on Ravna Gora Mountain. However, the very first guerrilla action in subjugated Europe Mihailovich carried out on April 22, 1941, with an attack on the German outpost along the Zavidovic-Han Pijesak rail line in Bosnia. After this successful raid, Mihailovich's first guerrilla detachment moved from Bosnia into Serbia proper via Tara Mountain and Suvobor to Ravna Gora. Henceforth his soldiers were known as the Ravnogotsi. The eight of May later people celebrated as the Ravna Gora Day.

From Ravna Gora, Chicha sent his military cadre to all parts of occupied and dis-

membered Yugoslavia as Ravna Gora organizers. The first mission of the organizers was to bring together "Chetnik detachments of our unsundered army"—as the people called the guerrillas, following Serbian tradition—who were scattered in the mountains and forests. The second mission was to continue or extend organized resistance to the occupation and to raise the fighting spirit of the people. The third mission was to form new units of the Yugoslav Army in the Homeland.

Thus did Chicha, a senior officer of the army of the Kingdom of Yugoslavia, begin and extend the organization of the YAH as an armed force of the legal government of Yugoslavia.

Under the protection of the YAH, and along with the Command, Mountain Staff No. 1, the Central Committee of the Ravna Gora Movement was organized. The ideological substance of the movement—For Democracy, Against All Dictatorships—was, in essence, the aim of the war. The Central National Committee was composed of political representatives of prewar opposition parties. The foremost leaders of the Republican Party headed the Ravna Gora Movement.

In 1943, the Germans secured their rear echelon and obtained a secure battleground for their Operation Schwarz ("Operation Black") to destroy Mihailovich's High Command.

Operation Schwarz had as its principal mission the capture or the liquidation of Chicha, the elimination of the Command of the YAH and then the defeat of all the Ravna Gora units. This mission against Chicha was decided by Hitler himself. The operation could not have been carried out in May 1943, had there been no agreement between the Nazis and Stalinists at Zagreb. Though Operation Schwarz failed to achieve its goal because Chicha, his staff and the British Military Mission vanished into the mountains as the strategic encirclement by German, Italian, Ustaša, Bulgarian and Partisan Forces closed in, the YAH nevertheless sustained heavy losses, primarily because of the lack of ammunition due to the radical change of the British policy toward Yugoslavia.

Afterwards, the Germans and the Italians offered a reward for the death or capture of Chicha Mihailovich. This was the second time the Germans had offered a reward for the head of Mihailovich. It amounted to 100,000 gold Marks.

During 1944, the YAH was charged with the rescue of Allied airmen who were downed over Yugoslavia. Altogether, over 500 airmen were rescued, most of them Americans. All were evacuated successfully from makeshift airfields in Serbia and were taken to airbases located in the liberated parts of Italy. After the war, the American airmen formed their own veteran association named the National Commission of American Airmen Rescued by General Mihailovich. The principal goal of this veterans organization was to raise a monument of gratitude to General Mihailovich in Washington, D.C. The commission has agreed to finance the entire construction and maintenance of the monument.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In February 1944, a report of a Ravna Gora Congress at a village named Ba in Serbia was given to authorities in Washington. Because this Congress was held on St. Sava Day (January 27) it became known as the St. Sava Congress. At the Congress, Chicha gave his classical speech. He publicly proposed that only a freely elected national assembly, in a constitutional procedure, can accomplish the reorganization of the government. To dispell rumors spread by the enemy, both fascists and communists, that the Ravna Gora forces were preparing a reprisal campaign, he also confirmed that it was illegal and unethical for anyone to take revenue on anyone else.

After the resolution of the Congress was made, Chicha issued orders for the formation of armed forces for Serbia, Croatia and Slovenia federal units of Yugoslavia. According to the Congress Resolution, these were distinct federal units, each of which had its own national flag, under a unified High Command, that is, the Minister of National Defense.

The orders to reform the YAH neutralized all the Stalinist and the Ustaša stories of intentions of Chicha and his Ravna Gora men to create a Greater Serbia. The actual situation in the countryside, even before the Resolution of the Congress, made it possible to organize the larger part of the territory of the country both in a political and military sense.

If one were to take into account the brutality of the occupation, the atrocities of the Ustaša as well as the Stalinist Partisans, and the insufficiency in arms and ammunition and medical supplies, then one can appreciate the success achieved by the Ravna Gora Movement in organizing the resistance of the entire territory. At that time, the Germans executed 100 Serbians for each German soldier killed and executed 50 hostages for each German wounded. In addition to the killings and the burning to the ground of whole villages, the occupation forces sent Serbians to death camps throughout Germany and even Poland and Norway. Genocide is the name of such acts. Throughout the war the Germans did not recognize the war convention status of the members of the YAH as soldiers. They were regarded not as soldiers of a warring country; in the eyes of the Nazis, the Ustaša, and the Stalinists alike they were simply "bandits."

The Stalinist Communist Party of Yugoslavia was brought to power with the arrival of the Red Army in Belgrade (October 1944) because it was the servant of the all-powerful Stalin. The main body of the YAH was disbanded in the Spring of 1945 in Bosnia because it was completely out of ammunition. Among the many lost was one Vojislav D. Mihailović the only son of Chicha.

The "Mountain King of Serbia" as Chicha was sometimes called, even then "vanished" from Stalinist encirclement. In the Spring of 1946, however, he was betrayed by Major Nikola Kalabic, brought before a public legal lynching trial, which mirrored Stalin's "legal" trials of the nineteen thirties, found "guilty as charged by the CPY", and was shot on July 17, 1946.

Although the physical location of his grave is not known, his memory has not faded. In 1988, in the heart of Belgrade, Serbian youths sang songs in praise of Chicha and Ravna Gora.

The Americans, both the people and the Government, remained convinced that Chicha was a hero of World War II, the first guerrilla of Europe, the savior of Amer-

ican airmen, and a convinced democrat who died fighting against dictatorships of both the Hitlerian and Stalinist type. For this reason, President Truman awarded him a posthumous Legion of Merit medal in 1948, the highest award which can be given to a non-citizen of the United States.

RSVP MEMBERS REACH OUT TO COLORADO COMMUNITIES

HON. HANK BROWN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. BROWN of Colorado. Mr. Speaker, without volunteer workers who give selflessly of themselves, the structure of the community could not be as strong as it is today. I take this opportunity to recognize, in particular, the contribution of the Retired Senior Volunteer Program [RSVP] members to Larimer County.

These volunteers, age 60 and above, are shining examples of people dedicated to the principle of hard work. They direct their energies into schools, libraries, and nursing homes, among other community centers, and receive nothing in return, but personal gratification.

Mr. Speaker, in order to draw due attention to RSVP, I would like to include in the RECORD an article which describes the services it provides.

RSVP MEMBERS CONTRIBUTE MUCH

The Retired Senior Volunteer Program of Larimer County (RSVP) recruits and places volunteers, age 60 and above, in non-profit service agencies. During 1988, over 1,000 RSVP volunteers contributed 182,498 hours in Larimer County.

Their invaluable contributions save Larimer County service agencies hundreds of thousands of dollars, while completing essential tasks that might otherwise go undone.

In Ft. Collins, a handful of RSVP members serve as couriers for the fire department. In Loveland, dedicated RSVP members aide the Chamber of Commerce in a massive valentine re-mailing campaign. In Estes Park, a cadre of RSVP volunteers work in the hospital thrift shop that turns over a substantial profit each year to purchase needed equipment. RSVP members help also in schools, libraries, cultural centers, nursing homes, and food distribution centers. They help those living in shelters for the homeless and abused.

RSVP of Larimer County is allowed to coordinate several direct services. Our volunteers enjoy working on these projects and they provide needed, unduplicated services to other seniors in our community. Our direct services include providing over 700 individual Medicare counseling sessions each year. RSVP-VITA volunteers prepared over 1,000 income tax returns, free of charge, for low-income seniors. They receive no money from the Federal government to help offset expenses generated by this program. A grocery shopping service keeps homebound seniors healthy by delivering prescriptions and food, even during the coldest day of the year. Telephone Friends and Carrier Alert help seniors living alone to know they are not isolated and forgotten.

A "Hats Off to RSVP Volunteers!" celebration will be held for the members of the Ft. Collins RSVP on April 6. Outstanding

contributions will be recognized and honored.

A celebration for Loveland RSVP members is planned for late June, and a celebration for Estes Park RSVP members is planned for late summer.

REA LOAN PROGRAM REFORM

HON. JIM BATES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. BATES. Mr. Speaker, I would like to direct my colleagues' attention to the Grace Commission recommendations. One of the Commission's recommendations focused on the need to reduce Government loan guarantees for electric borrowers and to require the electric distribution cooperatives to seek financing from the private sector. In essence, this is precisely what the Bates-Hunter legislative initiative proposes to do.

H.R. 1232, the Rural Electrification Administration Lending Assistance Improvements Act continues to gain bipartisan coalition support. I am pleased to note that the Council for Citizens Against Government Waste has joined in the Bates-Hunter effort along with such groups as the National Taxpayers Union, the National Propane Gas Association, and the Bankers Committee. In addition, this legislation enjoys support from my colleagues on both sides of the aisle, including BARNEY FRANK, ROBERT LAGOMARSINO, ROBERT GARCIA, and HELEN BENTLEY. I am additionally pleased to note that Clayton Yeutter, the newly appointed Secretary of Agriculture recently made note of the financial solvency of REA borrowers and stated that the magnitude of the existing REA subsidy was hard to justify.

The Grace Commission recommends three policy changes with regard to the Rural Electrification Administration. They are: Reduce generation and transmission loans, reduce Government financing of cooperatives, and reduce regulation. The Grace Commission's report gives increasing visibility to additional methods of reducing the deficit, rather than concentrating solely on conventional deficit-reducing strategies.

In the debate about the mammoth budget deficit that haunts our economy, arguments have focused mainly on the outlays for defense and on the imposition of new taxes or fees on working Americans. Left out of the debates, or at least given little regard, is the burgeoning subsidies in the agricultural sector, which have risen by olympian bounds in recent years. As an example, the Grace Commission notes that "since 1973, the amount of annual [REA] loan guarantees extended increased rapidly, doubling the cumulative amount outstanding from \$13.5 billion in fiscal year 1978 to \$31.6 billion in fiscal year 1980." This exponential increase has contributed to Government borrowing, exposed interest rates and affected debt management policy. A recent Congressional Budget Office report, entitled, "Reducing the Deficit: Spending and Revenue Options" emphasized that because of the interest rate subsidy provided to REA

borrowers over the years, the Federal Government incurs large budgetary costs from REA lending activities each year.

It is for precisely this reason that legislation that addresses both agricultural policy and the budget deficit is absolutely essential. H.R. 1232, would reduce our budget deficit by \$5 billion over the next 5 years by replacing high subsidy REA direct loans with REA guarantees of private loans at the market rate when assisting legitimate rural borrowers.

Today, without question, REA begs for reform. Under current law, areas that were rural in former times but are no longer rural continue to receive high subsidy assistance. About 5 percent of REA borrowers serve largely metropolitan areas, not rural areas. During the period of 1980 to 1985, these urban and suburban borrowers received nearly 20 percent of all electric loans aimed at rural communities.

The telephone program is no different. A number of REA borrowers are subsidiaries of major, multimillion and multibillion dollar telecommunications holding companies. A recent in-house study compiled by REA shows that these holding companies, representing 7.5 percent of all telephone borrowers, took 25.5 percent of the money between 1980 and 1985. Major league operators have no place taking high-subsidy assistance from hard working taxpayers. American taxpayers are growing tired of subsidizing the 1,400 private cooperatives who borrow from the Government for as low as 5 percent. I was pleased to note a recent Newsweek article which listed the REA loan program as one of the Government's boondoggle pork programs that is ripe for reform.

The Rural Electrification Administration was established to help rural Depression-era communities obtain electricity and phone service by offering them direct, subsidized, below market-rate loans. In 1936, when President Roosevelt enacted the REA loan program, only 12 percent of U.S. farms had electricity and only 36 percent of farms had telephones. In 1988, 99 percent of farms have electricity and 97 percent have telephone service.

The Bates-Hunter REA loan reform measure would save \$5 billion over the next 5 years. This legislation produces dramatic savings and does so without abolishing the REA or causing a drastic increase in farmer's utility bills. It is the type of reform called for in these times because it measures assistance to those who need it while eliminating assistance to those who don't.

In the few cases where a borrower is experiencing financial hardship, my legislation provides a wholly reliable safety-net. This is as it should be. We should not threaten quality, reliable, and affordable service to rural Americans.

We all know that the Federal budget deficit must ultimately be reduced. The Bates-Hunter bill reforms the REA loan program and reduces our costs without harming rural America or abolishing the program. It allows us, in a substantial way, to find the resources to reduce the deficit and to meet other urgent needs of today's America.

DICK BURRESS ON THE BICENTENNIAL CONGRESS: 200 YEARS AND GOING STRONG

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. MICHEL. Mr. Speaker, last week Richard T. Burress, senior fellow at the Hoover Institution spoke at the April breakfast of the House Republican Senior Committee Staff Alumni Association on the activities and actions of the very first Congress, whose bicentennial birthday we are celebrating this year.

I believe all Members will find his remarks to be both interesting and informative.

Mr. Burress served as deputy counsel to President Nixon and assistant to President Ford. He also served as counsel to the House Republican leadership, as minority Sergeant at Arms of the House, and staff director of the House Republican Policy Committee and as minority counsel of the House Committee on Education and Labor. He has written and spoken extensively on our constitutional history and is emerging as a recognized expert on the life and times of James Madison.

TWO HUNDRED AND GOING STRONG?

(By Richard T. Burress)

Remarks delivered in Washington DC on April 5, 1989 at the House Republican Senior Committee Staff Alumni Association.

Although March 4, 1789 was the day the First Congress had been scheduled to open, it was not until April 1 that a quorum was present in the House of Representatives. Five days later there was a quorum in the Senate. With this less than auspicious beginning, the First Sessions of the First Congress staggered into action. No one predicted that it would be one of the most productive legislative bodies of this or any other time.

The Members were planters, merchants, a few clergymen and lawyers, many lawyers, thirty-eight percent to be exact. All were white and male. In the House there was a clerk, two assistant clerks, chaplain, sergeant-at-arms, doorkeeper and one assistant. The Senate had a secretary, chaplain, two clerks, a doorkeeper and a messenger. The budget was \$374,000. There were no committees or committee staffs.

Before it adjourned on September 29, the First Congress: counted the electoral ballots; inaugurated Washington and Adams; created the State, Treasury, and War Departments; established the Office of Attorney General; enacted the Judiciary Act of 1789; passed bills relating to copyrights, patents, lighthouses, maritime regulations, naturalization, postal regulations, duties on distilled spirits and funding of the debt; incorporated the Bank of the United States; established a permanent seat of government along the Potomac; and adopted twelve amendments to the Constitution, ten of which became the Bill of Rights. Not bad for a group that lived in boarding houses, wrote the legislation themselves and had no offices or staff.

The First Congress did have experience. Eleven in the Senate and nine in the House attended the Constitutional Convention, over half had served in the Continental Congress and many of the others in State legislatures.

Above all, there was George Washington. More than the Constitution, certainly more than Congress, he was the unifying force. Despite apparent nervousness, "This great man was agitated and embarrassed more than ever he was by the leveled cannon or pointed Musket, he trembled and several times could scarce make out to read." The sincerity of his inaugural address inspired confidence. His call for guidance, "It would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the universe" was a reminder that this was a government instituted under divine benediction. His renunciation of all compensation continued a practice he established as Commander-in-Chief of the Continental Army. And his call for amendments to the Constitution, "Besides the ordinary objects submitted to your care, it will remain with your judgement to decide how far an exercise of the occasional power delegated by the fifth article of the Constitution, is rendered expedient at the present time," brightened James Madison's day even though it came as no surprise. Madison had helped to draft the speech during an earlier visit to Mount Vernon.

James Madison, the star of the First Congress, had been elected to the House of Representatives in February after a bitter campaign. His opponent in the ratification battle, Patrick Henry, did everything in his power to cause his defeat including having James Monroe run against him. To win, Madison had to make a solemn pledge that he would do his best to have a Bill of Rights adopted in the First Session of Congress. Washington's remarks were the first step in this process. With an unseemly amount of cajoling, and with insistence bordering on the obnoxious, Madison fulfilled his promise. On September 25, Congress adopted and sent to the States not ten but twelve articles of amendment. Exercising better judgement than Congress, the States refused to ratify the first two dealing with House districting and Congressional pay. This accident of history made freedom of religion, speech and press the First Amendment of the Bill of Rights.

The First Congress and the first President had a lot to learn. At the outset the Senate demanded that the President be present in person to discuss proposed treaties. They even had him take the Vice President's chair. This caused John Adams to complain, "I am possessed of two separate powers, the one in esse; and the other posse. I am Vice President, in this I am nothing, but I may be everything. But I am President also of the Senate. When the President comes into the Senate, what shall I be." He did not need to worry, Washington became so disgusted with Senate procrastination that he never came back and neither have any other Presidents.

The Senate toyed with the idea that as they had the right to confirm Presidential appointments, they should have the right to unconfirm as well. Even though there was nothing in the Constitution that speaks either way, Washington had no trouble turning this proposal down. Alexander Hamilton requested permission to appear before the House. The Members fearing the eloquent Hamilton, declined. Thus was born the tradition that Cabinet Officers do not appear to answer questions as they do in the English parliamentary system.

There was plenty of time for foolishness. The Senate spent much of its first month in debate over what to call the President.

Their final preference, "His Highness the President of the United States and Protector of the Rights of the Same". The House did not agree. A simple, "Mr. President" has served ever since. In the meantime, John Adams became known as "His Rotundity" and "His Superfluous Excellency." Vice Presidents then and now get very little respect.

Nonsensical and even outrageous statements were in vogue. Member Burke in the Constitutional amendment debate stated he considered them "little better than whipsylabub, frothy and full of wind formed only to please the palate." Member Livermore was against prohibiting "cruel and unusual punishments" for he believed the clause could prevent "hanging, whipping or cutting off of ears if such was considered necessary to correct vice."

One might wonder what the First Congress would think of the One Hundred and First. They probably would be surprised that Congress has lasted as long as it has. They undoubtedly would be amazed by its growth. Today there are 435 House Members, five territorial delegates and 100 Senators. The Congressional budget is in excess of \$3 billion dollars. There are more than 18,000 employees and a total of 55 standing House and Senate Committees. Some might say the business of Congress is business, big business.

Unfortunately, the fight between Congress and the President has become ingrained and bitter. The rise of political parties and divided government has led to stalemate, vicious partisanship and a loss of public confidence.

Are the Members of the present Congress less honest, lazier, less knowledgeable and less efficient than their predecessors? Like the First Congress, some are and some are not. Then, as now, they are ordinary citizens who happened to be elected to serve for a time as our representatives. Whether we like it or not, Congress with all its virtues and shortcomings is us.

RELATIONSHIP OF MUNICIPAL WASTE TO RESTORATION ECOLOGY

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. QUILLEN. Mr. Speaker, I would like to share with you and my colleagues a letter from Mr. Philip B. Wisman, an economist and ecologist, surely a symbiotic combination of disciplines. He was an ecologist way back when most of us had to look up the word "ecology" in the dictionary and long before there was an EPA or RCRA or Superfund. One of the early advocates of municipal waste recycling, he coined the slogan, "Every pollutant is a wasted asset;" but being perceptive and practical, he also predicted that "only when cities run out of landfill space will the public pay much attention to recycling." When he lectured in November 1970, on the need for mining landfills, it seemed rather far-fetched at the time; but today such "mining" has already begun in several locations. He is now a trustee of the Foundation Incorporated for the Exploitation of Energy Sources, and because Mr. Wisman has usually been at least 20 years ahead of most of us concern-

ing our ecosystems—because of his track record—we ought to take his words seriously. I submit Mr. Wisman's letter for the RECORD.

DEAR CONGRESSMAN QUILLEN. Urban dwellers are finally forced to focus on disposal of their waste. (sewage sludge, garbage, paper, diapers, plastics, and toxic materials) Throughout the nation, incineration, landfill, source reduction, and recycling are being debated in terms of human health and economic welfare. This is gratifying, but there are some neglected aspects of municipal waste recycling that deserve the nation's urgent attention. Many methods fail to complete the cycle of returning biodegradable material to the source from whence it came, and that results in depletion of cropland soil. If we are to continue the phenomenal productivity of our farms and forests, substances taken from the earth in the natural processes of plant growth must be recycled to the nation's soil that is being progressively depleted. Such depletion is cause for great concern. Serious research is underway so that we may correct this loss and become once again a frugal, rather than a profligate society.

Pulp from the 75,000 trees that are harvested to make one Sunday edition of the New York Times comes from the soil, but doesn't ever get back to it: the millions of tons of topsoil "used up" in the growth of vegetables, grain, fruit, stalks, stems, and table waste, as well as the solids from sewage, rarely go back to croplands, but instead are being landfilled, dumped into rivers, lakes, and oceans, or incinerated. Incineration destroys valuable organic matter that belongs back in the soil. Composting is certainly a step in the right direction, but—as presently practiced—leaves much to be desired, for it lacks reliable methods of mass processing and it lacks quality control.

One hears about erosion from wind and rain, but seldom about the enormous amounts of topsoil extracted through plant growth, or about the consequences of not recycling these biodegradable materials back to the soil. Continued failure to restore the topsoil of our farms will, in time, severely reduce our ability to produce food crops.

In productive farm areas where depth of topsoil was once measured in feet, it must now be measured in inches. As long as there is a little topsoil left, however, plants can grow, but they won't grow on "hardpan" no matter how much chemical fertilizer is applied. The insidious feature of all this is that gradual, creeping depletion of topsoil is taking place throughout our farmlands while at the same time crops are being grown successfully.

The sad fact is that when topsoil is dissipated beyond a certain critical point, desertification sets in. Once this point is reached, the sudden, cumulative effect of long-time neglect can be devastating.

So-called "farmed out" areas of the country are already plagued with cyst nematodes and other pests that thrive in depleted soil. These parasites are now decimating soy beans, tomatoes, potatoes, corn, and other important portions of our food supply. To control these pests, farmers are using more and more chemical poisons.

Some historians link the decline of great civilizations to loss of topsoil. Herodotus alludes to lush, verdant lands that are deserts today; and in the time of the Roman Empire, veterans returning from the wars were given plots of land to till; but having little knowledge or experience in this pur-

suit, they did not restore their topsoil and, failing as farmers, drifted to the cities, and became public charges. So the theory goes. Soil depletion was, very likely, one of many factors that contributed to the decline of the empire.

Western civilization as we know it, need not go the way of Nineveh and Tyre, although it is easy to understand how universities, museums, art galleries, symphony orchestras, and other trappings of the good life would soon fade when the citizenry discovers there isn't—and won't be—enough to eat.

Our situation is not hopeless, at least not yet—if the public can be led to understand that the corrective methodology is already available and can restore vitality to the soil, if only our institutions will gear up to meet the challenge. We know how to follow the steps used in nature to convert waste to topsoil. The good news is that many "specialized bacteria" have been identified and tested—organisms that completely digest and convert into topsoil almost all forms of biodegradable material found in garbage, trash, and sewage—such as lignins, oleic acid, cellulose, and even some plastics—and that fine grinding and intense oxidation have been shown to be practical ways of neutralizing many substances, including heavy metals. Until recently no one had developed practical, mass-production methods of manufacturing standard, quality controlled topsoil from the garbage, trash, and sewage sludge of cities.

But now the technology is here. By using sophisticated industrial equipment that already exists, it is now feasible to perform rapidly the processes by which topsoil has heretofore been produced in nature over a long period of time. Further, the wholesale clean separation of such non-biodegradables as glass, ferrous and non-ferrous metals—in large enough quantities, and in steady enough supplies to interest industrial buyers—is also practical.

More than forty years of experimentation, trials, errors, false starts, and new beginnings have led The Foundation and its predecessors to investigate and test the various segments of a system for mass production of a standard, quality-controlled topsoil concentrate from big-city solid waste and sewage, and for the extracting of cullet, ferrous and non-ferrous metals in forms and in quantities acceptable to glass manufacturers and smelters.

I believe it is appropriate and timely for government and the private sector to utilize this knowledge by showing urban dwellers and farmers how they can cooperate in a way that will benefit both: by solving a substantial part of our municipal waste problem, and at the same time restoring soil fertility and enhancing future food supplies. Such an undertaking, if sensibly managed, will be self-financing—can literally pay for itself—without any extra drain on taxpayers. But the practicality of processing big city waste into quality-controlled topsoil and marketable glass and metals must first be demonstrated on a sufficiently large scale. Would this not be an ideal joint project for the Department of Housing and Urban Development, the Department of Agriculture, and the Environmental Protection Agency? Our Foundation could be an enthusiastic participant in any such effort.

JUSTICE O'CONNOR'S SECOND INDISCRETION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. FRANK. Mr. Speaker, while we continue to have controversy over the opinions of the Supreme Court, as is entirely proper under our scheme of government, one thing we have not had much of in the last years is allegations that Supreme Court Justices are overstepping the bounds of propriety. There have been earlier in this century examples of Supreme Court Justices being political in ways that were inappropriate, but that practice appears greatly to have diminished—with one regrettable exception. Justice Sandra Day O'Connor has twice in recent years engaged in activities on behalf of the Republican Party which simply are not appropriate for a Supreme Court Justice.

Two years ago, she inexplicably agreed to conduct a briefing on the Supreme Court as part of a Republican Party fundraiser. This is hardly a subtle point, and I was extremely disappointed that she had agreed to do that. My impression is that only the unfavorable publicity which grew up about the event led her to cancel something she should never have agreed to in the first place. But at least she did cancel it, and this gave reason to hope that she then understood what limitations she should be observing now that she has left elective politics in Arizona for the Federal judiciary.

Unfortunately, after that incident last year showed that she had not fully assimilated that lesson. When she was asked by a woman active in the Republican Party to write a letter which was intended to be used in an intra-Republican party dispute in Arizona, Justice O'Connor responded with a letter which was in fact used to achieve passage of a resolution by the Arizona Republican Party that this is "a Christian nation." No one suggests that Justice O'Connor was supporting that specific outcome, but the evidence is clear that she knew that she was writing a letter which would be used for that purpose. This was a second grave error.

Mr. Speaker, Prof. Alan Dershowitz of Harvard recently wrote a persuasive essay in the New York Times about Justice O'Connor's behavior. I ask that it be reprinted here in the hopes that we will not again have to deal with an instance of Justice O'Connor's engaging improperly in political activity.

JUSTICE O'CONNOR'S SECOND INDISCRETION (By Alan M. Dershowitz)

Justice Sandra Day O'Connor has again deplorably allowed her name and judicial office to be used for partisan political purposes.

In 1987, she agreed to conduct a "private briefing" in the Supreme Court for Republicans who contributed at least \$10,000 to a political-action group. She canceled it after leading ethics experts publicly criticized her actions as violating the Code of Judicial Conduct—but not until after her name had been used in the fund-raising solicitation.

Justice O'Connor recently complied with a request from an arch-conservative Arizona

Republican friend who had asked her to write a letter in support of a proposed party resolution declaring the United States to be "a Christian Nation . . . based on the absolute law of the Bible."

Her reply—written on Court stationery and later circulated as part of a successful campaign to have the Arizona Republican Party adopt the Christian Nation Resolution—included the following:

"You wrote me recently to inquire about any holdings of this Court to the effect that this is a Christian Nation. There are statements to such effect in the following opinions: Church of the Holy Trinity v. United States. Zorach v. Clauson. McGowan v. Maryland."

In addition to the impropriety of a Justice lending the Court's judicial imprimatur to a controversial political proposal, Justice O'Connor's case citations are just plain wrong. The last two cases do not contain any statements of support for the claim that "this is a Christian Nation." Indeed, their entire thrust is to the contrary.

The first case, decided in 1892, does contain such a statement in passing, though certainly not a "holding" since the case involved an interpretation of an immigration statute, not a construction of the First Amendment's prohibition against the establishment of religion.

No Court decision over the last 97 years lends any support to the claim that we are a "Christian Nation." There are statements that we are a "religious people," but they are invariably followed by assurance of "no partiality to any one group."

When her letter was publicly disclosed, Justice O'Connor issued a statement regretting that the "letter she had written to an acquaintance . . . was used in a political debate." The Court press office assured us that she "had no idea" the letter would be used politically.

But the original request made it unmistakably clear that she was being asked to write her letter specifically for use in the campaign for the Christian Nation Resolution being pressed by elements in the Republican Party.

This is the relevant language in the request: "Republicans are making some interesting advances in this heavily controlled Democratic area. Some of us are proposing a resolution which acknowledges that the Supreme Court ruled in 1892 that this is a Christian Nation. It would be beneficial and interesting to have a letter from you . . ."

Not only was Justice O'Connor's letter used in that campaign, its mis citation of cases was relied on in the resolution enacted by the Arizona Republican Party. That resolution begins, "Whereas the Supreme Court of the United States has three holdings to the effect that this is a Christian nation. . . ." It then cites the decisions provided by Justice O'Connor and declares that we are "a Christian Nation," and that the Constitution created "a republic based upon the absolute laws of the Bible, not a democracy."

Justice O'Connor has twice given aid and comfort to partisan Republican causes. Both times her regrets came too late and only after public criticism. She has twice allowed her name and judicial office to be used improperly. She has twice violated the Code of Judicial Conduct, which unambiguously directs sitting judges to refrain from political activity, including "making speeches for a political organization" and participating in political fund raising.

A seat on the Supreme Court does not exempt a Justice from complying with the

rules of the profession. Justice O'Connor must remember that her allegiances are no longer to be a particular wing of the Arizona Republican Party but to all Americans, regardless of party affiliation, region or religion.

ON TRACK WITH THE DEFICIT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. CRANE. Mr. Speaker, in this day and age of excessive congressional spending and budget deficits, a fresh perspective on our financial woes may bring to light new answers to old budget problems. Recently, I was fortunate to read the remarks made by Mr. Walter B. Wriston in a speech he delivered to a group of U.S. executives. Following is the text of that article which I believe Members will find informative and worthwhile:

[From the Wall Street Journal, Jan. 6, 1989]

ON TRACK WITH THE DEFICIT

(By Walter B. Wriston)

It is always useful to have a simple answer to complex problems, and the budget deficit has served that purpose admirably. It is blamed for everything from America's supposed lack of competitiveness, to a low saving rate, to contributing to—or even causing—the trade deficit.

While there is disagreement over the effects of the budget deficit, and even its causes, most people would agree we have a problem and that the first step in solving it is to get the facts—in this case, not as easy as it seems. The government is incapable even of telling us what the last quarter's GNP growth was with any precision; final figures are not issued until three years after the quarter's close and vary widely from initial reports—yet all projections of future deficits are based on someone's estimate of the GNP.

To understand the dimensions of the problem we should look at the deficit in three ways: By what rules were the numbers assembled and do these rules produce meaningful data on which to base policy decisions? How does the U.S. compare with other members of the Organization for Economic Cooperation and Development? And, what is the economic impact of deficits of the size we have seen?

OFF-BUDGET ENTITIES

If the accounting principles used to determine the size of the deficit were adopted by your business, the SEC would doubtless bring criminal charges of misrepresentation of fact. There are off-budget entities such as the Social Security Trust Funds and some other federal operations whose transactions are excluded from the budget totals by law. This law produces an on-budget surplus or deficit number. The Gramm-Rudman-Hollings Act, however, at present includes two out of three Social Security Trust Funds and other off-budget items for the purpose of computing that deficit or surplus. Differences between the two numbers are estimated in the \$40 billion range for 1988.

The new element in the economic equation is the Social Security system—currently in surplus, and building at the rate of \$76,000 a minute. Gramm-Rudman recognizes that in the real world it is a fact that a

separate tax stream funds the Social Security Trust Fund, and that the cash thus accumulated is lent to the U.S. Treasury. This is a new situation, since for 50 years there were no trust funds—benefits were paid out to retirees about as fast as taxes were collected from workers.

Whatever the future holds, it is a fact that part of our outstanding national debt is now funded by direct taxes on workers and much more of it will be in the future. The Social Security tax is now the biggest tax bite felt by most Americans, and it is scheduled to go up again in January 1990. If projections hold, no government bonds will be sold to the public in the mid-1990s—the Trust Funds will take them all.

The second anomaly in the deficit numbers is that everything the federal government buys is "expensed"—from the space shuttle to a 10-cent pencil. By contrast, a family buys a home with the help of a mortgage, since it is a capital asset, and balances its budget not against a one-time capital cost, but on a cash-flow debt-service basis. The familiar refrain that every family must balance its budget, so why can't the federal government, has a nice ring to it, but no family I know of expenses its home.

All businesses are run on the same principles. In 1987 business capital expenditures exceeded the before-tax business profits of all U.S. corporations by more than \$100 billion. At the state level, this vital distinction between capital assets and operating costs is recognized, and some 37 states have a distinct capital budget with current operations reported separately.

Office of Management and Budget data show that the fiscal 1986, federal outlays for physical investments ranged from \$84 billion for acquiring federally owned assets to \$107 billion if one includes grants to states and local entities for their capital projects. In addition, federal direct loans, loan guarantees and government-sponsored loans amounted to about \$42 billion. All in all, capital expenditures totaled 13.2% of total outlays, a not inconsiderable amount to expense, and if funded in the capital budget would produce near balance in the operating budget.

The reason the federal government has not brought its accounting into the 20th century is political, not economic. Everyone remembers that New York City got in deep trouble partly by classifying operating expenses as capital and thus "balancing its budget." The principal reason against instituting a capital budget is that many do not trust the national political process to maintain the discipline needed to distinguish between capital expenditures and operating costs.

Another anomaly in the way we keep our books is that we are perhaps the only country in the world that does not include the deficits or surpluses of the nation's political subdivisions, in our case the 50 states, in computing the national deficit. This is akin to a business failing to include the result of some of its divisions when reporting its earnings. Recent experience with the Financial Accounting Standards Board has taught us to pay attention to how accounting rules affect reported results; we should do the same with the federal accounting system.

The second way to look at the budget deficit is on a comparative basis with our neighbors. Exact comparisons are difficult, because foreign countries keep their books differently than we do. Even so, the U.S. budget deficit as percentage of GNP is smaller than that of France, for example,

and falls in the middle of the range for all OECD countries. Today our ratio of net government debt (federal, state and local) as computed by the OECD is about 30% of GNP, about the same general range as Japan, Canada and West Germany, and much lower than Italy or Britain. Levels of saving appear lower in the U.S., and this is thought to make public deficits less tolerable here, but in an age of global capital markets, capital goes where it's wanted and stays where it's well-treated.

That brings us to the third perspective on the budget deficit—its effect on the economy. While the deficit, as currently computed, has been blamed for all of society's ills, there is little hard evidence on which to form such a judgment. Not long ago, we were warned by experts that government borrowing would crowd out private financing and thus cripple our economic expansion. The crowding-out theory was all the rage, but it did not happen. As a historical note, most people have forgotten that when we emerged from World War II, the gross federal debt was in excess of 100% of GNP.

Much of the rhetoric regarding the presumed effects on our economy is based on the concept of closed national economies. While this view once had some validity and, indeed, is the framework surrounding much economic theory from Adam Smith to modern times, the world can no longer be understood as a collection of national economies managed in isolation from the rest of the world.

Borders that were once the cause of wars are now becoming porous. Money moves over, around and through them with the speed of light. The flows of capital are now in the range of 30 to 50 times greater than world trade. The world's capital that moves along this electronic highway goes where it is wanted and it stays where it is well-treated. This is why there was no crowding out, this is why foreign capital comes and stays in the U.S. As long as our free-market system permits and delivers an acceptable rate of return on investment in an environment of political stability that is competitive with other areas of investment, the capital will keep coming.

Large budget deficits are often said to cause high interest rates, but nominal rates on long-term Treasuries have fallen from more than 17% to about 9%. Real interest rates remain in the high end of the historical range. There are good economists who say the real interest rates are higher today than they would have been had we not had these deficits, but there are other scholars with equal credentials who believe that is really an assertion and not a documented fact. Both points of view are supported by reams of statistics.

Today the world looks at America and sees our GNP moving toward \$5 trillion; it sees a huge creation of jobs; it sees manufacturing productivity rising at an annual rate of 4.3% since 1982, with unit cost falling, making the U.S. the lowest-cost producer in the G-7 according to recent IMF data. It sees our deficit, as measured, falling both in absolute terms and as a percentage of GNP.

SOME REAL PROGRESS

While we are on the right track, we will always have problems to deal with. The real worry in the economy has been a trend that has been going on for decades: the growth of government spending on the federal, state and local level. In 1951, federal expenditures were 14.4% of GNP; by 1987 they had grown to 22.8% of GNP. State and local

expenditures rose from 6.1% to 9.3% during the same period.

The good news is that the growth rate of federal spending reached a peak of 19% in fiscal 1980 and fell to 2% in fiscal 1987, a dramatic improvement largely ignored by commentators. Measured as a ratio of GNP, spending has fallen from a peak of 25% in 1983 to about 23% now. All in all, this adds up to real progress.

In the great American tradition, Gramm-Rudman is proving to be an effective compromise. As Lawrence Kudlow of Bear Sterns put it: "Budget experts don't like it because it puts the budget on automatic pilot. Conservatives don't like it because it prohibits heavy spending in the military defense area. And liberals don't like it because it cuts into spending on domestic social services and entitlements." But it is clearly working.

A DOWN PAYMENT ON THE 21ST CENTURY

HON. HANK BROWN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. BROWN of Colorado. Mr. Speaker, today I am introducing H.R. 1747, a bill to modify the annual report of the Social Security Board of Trustees. Specifically, the bill requires the trustees of the Old-Age, and Survivor Insurance Trust Fund and the Federal Disability Trust Fund to report the long-term obligations of the funds.

In the past, the trustees have reported that the system is—or is not, as the case may be—in close actuarial balance. That phrase means that, over the course of 75 years, disbursements are projected to balance within 5 percent the receipts from taxable payroll. It is a useful projection.

However, as sizable trust fund reserves accrue, I believe it would be even more useful to remind ourselves of the actual dollars committed to the system. The analogy I would make would be to a defined benefit plan under ERISA. By statute, the pension fund managers must account for long-term expenditures.

My bill would, therefore, require the trustees to include two new projections: First, a closed-end analysis in which those under age 15 are excluded; and second, an open-ended analysis which would take into account the contributions by future workers. I've chosen these measurements because SSA already provides such data to Treasury for publication in a quarterly bulletin, so my bill won't require any added work years to compute.

I believe those computations, which last year totaled \$377 billion for the open analysis, and over \$5 trillion for the closed analysis, will put the mounting reserves into the necessary perspective.

Mr. Speaker, those reserves are a small down payment on the Social Security obligations of the 21st century. They are not ours to spend.

HONORING QUEENS COMMUNITY LEADER THOMAS WHITE

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. ACKERMAN. Mr. Speaker, I would like to submit an article commending an outstanding individual and community leader, Mr. Thomas White. I have known Tom for many years, and am well aware of the many fine contributions that he has provided to Queens County. Recently, New York Newsday honored Thomas White by featuring him in the Queens Profile section of the March 20, 1989 issue of the newspaper. I ask my colleagues to take special note of Mr. White's achievements in the field of drug and alcohol rehabilitation and counseling.

[From New York Newsday, Mar. 20, 1989]

QUEENS PROFILE OF THOMAS WHITE

Job: Executive director of the Queens Village Committee for Mental Health for the Jamaica Community Adolescent Program Inc., known as J-CAP, since 1971; program offers drug-free substance abuse treatment, family counseling, vocational and educational services, alcohol prevention and education and community services at five locations in Queens; member of Community Board 12; last month, received Distinguished Service Award from the state Black and Puerto Rican Legislative Caucus.

Biography: 49, born and reared in South Jamaica, master's in social work from State University at Stony Brook; cofounder of J-CAP; served on Gov. Mario Cuomo's advisory committee on drug and alcohol abuse; married, one son.

Residence: Co-op in Rochdale Village.

Major accomplishment: 'J-CAP has been a forerunner in southeast Queens in addressing the area of substance abuse since the early '70s. . . . We started in a storefront, worked with the Board of Ed. and the narcotics speakers bureau, went into schools and invited teens to come in and talk. We grew from being an educational provider to a direct treatment center.'

Good and bad about Queens: 'Queens maintains the high potential of an affluent borough. In spite of the pockets of crime in specific areas, our economic base is very sound. But if we do not address the problems of the school system and crime, that potential is lost. . . .'

TRIBUTE TO SETON HALL'S BASKETBALL TEAM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. PAYNE of New Jersey. Mr. Speaker, it is with great pride and satisfaction that I rise before the House of Representatives to commend the outstanding performance of my alma mater's basketball team, the Pirates of Seton Hall University.

Throughout the basketball season, the Pirates displayed enormous perseverance in the face of adversity. Refusing to accept the predictions of those who labeled them under-

dogs, they surprised their doubters by forging ahead to rack up one victory after another.

New Jersey fans watched with elation as our home team confounded the experts with a stunning string of successes—in Tucson, defeating Southwest Missouri State, 60-51 and Evansville, 87-73; at the Western Regionals in Denver, prevailing over Indiana, 78-65, and the University of Nevada at Las Vegas; 84-61, and at the Final Four at the Kingdome in Seattle, with their unforgettable triumph over Duke, 95-78.

The team's fortitude never left them as they battled valiantly in overtime to come within one point of winning the championship against Michigan in an electrifying 80-79 finish.

The Pirates have set a splendid example through their determination to stand tall and to push themselves to the limit even when the outlook appeared bleak. Certainly, there is a lesson in that for all of us.

Their spirit mirrors that of the university they so proudly represent, Seton Hall.

Seton Hall, in South Orange, is the largest Catholic university in New Jersey. It was founded by Father James Bailey, the first bishop of Newark, who named the school after his aunt—Saint Elizabeth Seton, a Sister of Charity. Seton Hall began with an original student body of six in 1856. Today, the university has an enrollment of 9,800 undergraduates, graduate students, and law students. Young people of all faiths and backgrounds, from every region of the United States and the world, make up the student body of Seton Hall. Yet, the values and traditions of its founders, and the individual attention to each student, are as important now as when Seton Hall school was founded.

Mr. Speaker, please join me in congratulating the Pirates of Seton Hall for a job well done.

CONGRATULATIONS TO JOBS WEST PROGRAM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. STARK. Mr. Speaker, I am very proud of the Jobs West Program, which was one of the national winners of a Job Training Partnership Act [JTPA] Presidential Award. JTPA is a program that I have long supported. So, I was very pleased that people from my congressional district were honored for their excellent work in helping to alleviate the employment problems of young people.

The news release issued by the Alameda County Private Industry Council summarizes the achievements of Jobs West. I would like to include it here.

The Alameda County Private Industry Council's Jobs West Program has been selected as the national winner in the Special Award category of the U.S. Department of Labor's Second Annual Job Training Partnership Act (JTPA) Presidential Award. The ceremony will take place on April 6 in Washington, D.C. with Secretary of Labor Elizabeth Dole presenting the award on behalf of the U.S. Department of Labor.

These awards are given annually in recognition of outstanding JTPA programs. Ms.

Shirley Sisk, Chairperson of the agency's Governing Board, the Alameda County Training and Employment Board, will accept the award on behalf of the PIC.

The PIC's Jobs West Program was chosen by Governor Deukmejian in August, 1988 as California's nominee for the Special Award category; in March, the Secretary of Labor selected Jobs West as one of the outstanding JTPA programs in the country from nominations submitted by the Governors of each state.

Two community-based agencies, Vallecitos, CET Inc. in Hayward and United Pili-pinos of Alameda run the Jobs West program for the PIC. They have no entrance criteria for the Jobs West program, and accept any JTPA-eligible youth who is interested, willing to try, and wants to go to work.

The Jobs West program works with hard-to-serve youth in a very unique way. By offering the whole array of activities available under JTPA to young people who have a multitude of barriers, the program places a high percentage of the youth.

Participants can choose from a wide variety of activities which include vocational training, basic skills training, internships, personal counseling, career development, on-the-job training (which isn't usually available to youth), job search workshops, and job placement. Under Jobs West, individual referral training can be purchased for the youth in any occupation appropriate to their career goals.

Young people come to the program with many barriers: in Program Year 1987-88, 64% of them were dropouts, 71% were minorities, 44% were on public assistance, 16% were limited English speaking, 20% were single head of households, and 19% were offenders. In spite of this, of the 277 youth who participated in the program, the outcome was positive for 263 of them (197 entered employment) and only 14 dropped out.

For many of the youth who participate in Jobs West, it is their first positive experience in dealing with adults or those in authority. It is their first positive experience in looking at themselves and their work goals. Treated, perhaps for the first time, as valuable, contributing members of their community, program participants can plan their future and look forward to productive work.

The Private Industry Council is no newcomer at winning national awards; last year the PIC was given an award for excellence from the National Association of Counties (NACo) for their Peterbilt Worker Readjustment Program, in which 377 laid-off workers were placed in new jobs after that plant closed. It's programs like the Peterbilt project and Jobs West that serve as models to the rest of the country.

TRIBUTE TO THE MOST REVEREND JAMES W. MALONE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. TRAFICANT. Mr. Speaker, I stand today to pay tribute to an outstanding member of my 17th Congressional District of Ohio, the Most Reverend Bishop James W. Malone.

Bishop Malone was ordained to the priesthood in 1944, and ordained a bishop 15 years

later. Bishop Malone has served in the National Conference of Catholic Bishops' U.S. Catholic Conference for many years. He served the group as vice president from 1980-83, and as president from 1983-86. Presently, he is cochairman of the USCC's Roman Catholic/United Methodist International Dialogue; representative of the USCC's International Commission for English in the Liturgy; and member of the USCC Committee on Social Development and World Peace.

Bishop Malone is also a member of the board of Directors of the Catholic Conference of Ohio, general board member and past president of the Ohio Council of Churches, chairman of the National Catholic Educational Association, member of the board of directors for the Center for Applied Research of the Apostolate, and member of the board of trustees of the Catholic University of America.

On Wednesday evening, April 22 1989, the City of Hope will present Bishop Malone with the prestigious "Spirit of Life Award" at a banquet given in his honor. The banquet will benefit the City of Hope National Pilot Medical Center and the Beckman Research Institute, with the proceeds establishing the Bishop James W. Malone Research Fellowship. The scientist working in the name of the fellowship will have the responsibility of referring to it at all regional, national, and international conferences at which he presents his findings.

Mr. Speaker, it is a true honor to represent this fine man, whose achievements are a tribute to his church, his city, and his country. Please join me today in extending to the Most Reverend James W. Malone our congratulations for receiving the "Spirit of Life Award," and our deepest appreciation for the lifetime he has dedicated to serving the people of our country.

AVIATION TRUST FUND—USE IT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. CRANE. Mr. Speaker, there has been considerable discussion of late concerning the budget status of the Social Security system when it comes to Gramm-Rudman calculations. The current—fiscal year 1989—\$56 billion Social Security trust fund surplus masks the actual size of our budget deficit and this fact has obviously made it politically attractive for some to keep the Social Security trust funds in the Gramm-Rudman equation.

Albeit to a lesser degree, we apparently have the same situation with respect to the aviation trust fund which presently contains over \$6 billion. As with Social Security, the fact that there is an onbudget surplus in the aviation trust fund has meant that the trust fund is being used for political purposes. Unfortunately for the air travelers of this country, the fact that there is a surplus in the aviation trust fund has meant that the fund's money is not being spent for its intended purpose of improving our air transportation system. Rather, the trust fund money has been left to sit, apparently in order to make the deficit appear smaller.

Mr. Speaker, the American traveling public has paid the 8 percent Federal excise tax on airline tickets with the understanding that this money was to be used to improve air travel. There has been public concern over the safety and quality of air travel in this country, a concern which has been echoed by many Members of this body. Flight delays, outdated air traffic control equipment, insufficient numbers of trained air traffic controllers, clogged runways and taxiways, near midair collisions and other passenger complaints are just some of the problems that many feel need to be addressed.

With a congressional district near Chicago's O'Hare Airport, I can tell you that we could certainly use some of this money to improve and expand our airport facilities. Improved capacity, improved safety, modernized air traffic control, communications, weather and navigation systems, and better training for more air traffic controllers are just some of the items for which the money could be well spent.

Mr. Speaker, it is time to wisely use this money to improve air travel. If the only way to prod the administration and Congress into spending this money means taking it off budget so it can't be used as a political tool, then we should take the aviation trust fund off budget. Mr. Speaker, I would hope that increased public awareness of this situation will lead to increased public pressure. It is my understanding that an alliance of airlines, airports, private aircraft owners, unions, businesses, local government officials, and individual travelers has already been formed to raise public awareness on this subject. I certainly can understand their concerns and hope that Congress and the administration will work to ensure that this money is spent for its intended purposes.

IMPROVING THE HEALTH OF THE POOR AS A CORNERSTONE OF DEVELOPMENT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. BEREUTER. Mr. Speaker, Friday, April 7, was World Health Day—a day which commemorates the founding of the World Health Organization 41 years ago. This is also a special moment because of an event that happened 11 years at Alma-Ata in the Soviet Union. At the conclusion of a major international conference on primary health care in September 1978, jointly sponsored by the World Health Organization and UNICEF, representatives of 134 nations agreed to the terms of a solemn declaration pledging urgent action by all governments, all health and development workers, and the world community to attain for all the people of the world by the year 2000 "a level of health that will permit them to lead a socially and economically productive life." The United States was one of the supporters of that Declaration of Alma-Ata. We are exactly halfway in time between 1978 and the year 2000 at this moment.

We have a new U.S. administration in office headed by a President who has pledged him-

self to seek a kinder and gentler nation and one where the many lights of our outstanding tradition of private voluntary action are invited to shine. Even the international arena has given us some unexpected and hopeful surprises in recent months, including a Soviet leadership that is exhibiting new signs of openness and political and military restraint.

This Member last fall began to sense that we are being presented with a truly momentous historical opportunity in this upcoming decade of the 1990's, analogous in many ways to the kind of opportunity that offered itself when the decision was made to put a man on the Moon. We now, for the first time in world history, have the technical means to insure that no one in the world dies of an easily preventable cause. We have vaccines. We can produce enough food to feed everyone in the world. We have radio and TV and other means of educating even poor, or remote, or homebound people. We have low-cost technology for sanitation, water, and diarrheal diseases. We have the communications, transportation, and managerial technologies to get the needed supplies and people to where they need to be. We have the amazing proliferation of grassroots associations that have always existed in the United States now beginning to happen in Asia, Africa, Latin America, and the Caribbean.

There is no technical reason that the world community cannot now make a decision to actually do something that has been a dream of mankind for thousands of years—to decide that it will organize itself so that no one, and especially no child is condemned to a life in which they cannot be productive for want of the critical minimum of food, basic health care and sanitation, and education.

This Member believes this can be accomplished, and believes that it can be accomplished by the year 2000 if we set our minds to it as a collective enterprise of the whole world community. Last October my staff and the members, especially Dr. Nelle Temple of the House Banking Committee staff, began a process of consulting with other people to see if they shared a sense that we can and should work toward the goal of eliminating easily preventable deaths and permanent disabilities throughout the world by the year 2000. More importantly, these people were asked to share their ideas about how it could be done and what more is needed that is not being done today.

We have been in touch with senior people from every organization represented at this hearing today—with the World Health Organization, UNICEF, AID, Rotary, and the Task Force on Child Survival plus perhaps 50 to 100 more. We talked to CARE, to Roman Catholic and Protestant and Jewish religious leaders, to leaders of the environmental movement, and to leadership of influential and active universities. We have been in touch with the senior leadership of most of the international financial organizations and a number of U.N. agencies. We sought input from business leaders and major foundations and grassroots groups.

It is clear that there is a very high degree of consensus that political leadership, especially leadership by the U.S. President and the Sec-

retary General of the United Nations, could launch the world, with great enthusiasm, on the concrete objective of attaining this goal by the year 2000. Contrary to what many people think, the main missing ingredient now is not money or technology but coordination, inspiration, and leadership which harnesses the energies of international, national, and local organizations around the world—public and private, profit and nonprofit—in a cooperative effort with a clear goal and targets.

In January 1989 this Member laid out the results of this quiet investigation for Secretary of State James Baker, who wrote to this Member by letter saying that he believes that "this initiative is one in which the United States should take a leadership role" as I proposed.

Therefore, yesterday, with bipartisan cosponsorship from all my colleagues in leadership positions on the Select Committee on Hunger, the Human Rights and International Organizations Subcommittee of the Committee on Foreign Affairs, and the Foreign Operations Subcommittee of the Committee on Appropriations, this Member introduced a resolution, House Resolution 120, to put the House of Representatives very specifically on record in support of actions to eliminate preventable deaths and disabling illness, especially among the world's children. We will be soliciting and welcoming additional cosponsors, especially from the members of the Select Committee on Hunger who are in general, so obviously committed to these ideas.

The resolution calls for specific actions to promote the attainment of the universal childhood immunization target by 1990 and health for all by the year 2000. The President is encouraged to take a leadership role in proposing that a special commission be set up under the auspices of the Secretary General of the United Nations to assist in strategic planning for attaining the goals through voluntary and coordinated actions by all of those who want to help—national governments, international organizations, and the critically important non-governmental organizations. The resolution endorses the call being made by Mr. James Grant of UNICEF for a world summit on children, which I would see as an opportunity for governments to pledge themselves to concrete programs of action, domestically and internationally, to eliminate these unnecessary deaths. Most importantly this agenda of action is an agenda for productivity—the future productivity of the people who will be benefited.

A TRIBUTE TO ROBERT B. NORMAN

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. TRAXLER. Mr. Speaker, today marks an occasion when I want to pay tribute to a person who has been a good friend to me and to Michigan's dry bean industry. Mr. Robert B. Norman is the director of purchasing for H.J. Heinz Co., Ltd., in Hayes Park, Hayes, Middlesex, England. He is retiring on April 30 after having been the director of purchasing for H.J. Heinz for the past 18 years.

I want to pay tribute to Mr. Norman because of what his business career has meant for other businessmen and farmers in my congressional district. H.J. Heinz is the largest international buyer of Michigan-grown dry beans in the world. Mr. Norman has overseen the purchasing of large quantities of beans from Michigan. He has visited my State nearly 50 times during his career.

H.J. Heinz purchases and cans nearly 40,000 metric tons of beans each year. Michigan must export every other row of beans produced in order to sell its production, and a very large portion of these beans have been secured by Mr. Norman. His company's purchases have been extremely important to the agribusinessmen of my area who sell beans, and vital to my farmers who produce the beans.

His skills extend from purchasing to shipping matters. Robert Norman was instrumental in developing the research programs that eventually led to the containerized shipment of beans from Michigan to the United Kingdom, a development that was essential to the continued ability of my producers to sell to Mr. Norman and H.J. Heinz.

He had also been involved in a number of ongoing research programs dealing with improving yields and quality of navy beans.

Mr. Speaker, it is unfortunately too rare that we have the opportunity to meet and work with a fine gentleman. Robert Norman is such a man, and he leaves a challenging void for his successor to fill. I ask that all of my colleagues join in wishing him an enjoyable and equally productive retirement.

TRIBUTE TO THE VOLUNTEERS OF BERKS HEIM

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. YATRON. Mr. Speaker, as you know, the week of April 10, 1989, has been designated as National Volunteer Week. As such, I rise today to pay tribute to a special group of people in my hometown of Reading, PA.

The people I am speaking of are the volunteers who freely give of themselves to care for the elderly residents of Berks County Home—Berks Heim, a skilled nursing and intermediate care facility. These volunteers play a vital role in providing the services and attention that are needed by the 799 residents of Berks Heim. By focusing their time, energy, and ability to fulfilling the needs of others, the volunteers of Berks Heim have enriched the lives of many of their fellow citizens.

Mr. Speaker, one of America's greatest national resources is its volunteers and it is only fitting that we give them the recognition they so deserve. I commend the volunteers of Berks Heim as well as volunteers throughout the country, and I thank them for making the lives of others better and brighter.

WAIVERS OF RIGHTS UNDER THE AGE DISCRIMINATION IN EMPLOYMENT ACT

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. ROYBAL. Mr. Speaker, on April 18, 1989, the Select Committee on Aging and the Subcommittee on Employment Opportunities of the House Education and Labor Committee, chaired by Representative MATTHEW MARTINEZ, will hold a joint hearing entitled "Waivers Under the Age Discrimination in Employment Act." The purpose of the hearing is to review the issue of when an employer may obtain a valid waiver of an older employee's rights under the Federal Age Discrimination in Employment Act [ADEA]. In addition, the hearing will address a serious problem confronting this Nation's older work force: The growing number of older workers who are being forced to waive their equal employment rights in exchange for early retirement benefits.

I would like to provide some background on the need for this hearing. In the 1980's, many U.S. companies facing stiff competition from abroad, shifts in the economy from heavy industry to light industry, or corporate takeovers, began trimming or downsizing their work force. Unfortunately, the first victims of this downsizing have often been older workers. As a means of prompting their older workers to leave the work force, some companies began offering early retirement incentive packages. Early retirement incentive packages are essentially enhanced retirement and severance benefits offered to an employee as an inducement to leave the company. These packages are often contingent on the older employee's agreement to waive any right to file a claim or lawsuit against his or her employer under the ADEA. Preliminary results from a study being conducted by the General Accounting Office indicates that the percentage of Fortune 100 companies using waivers in conjunction with early retirement incentives almost tripled over the past decade.

It is my concern that older workers are in fact being forced into signing waivers under the fear that if they do not do so they will be terminated without adequate retirement benefits. An older employee confronted with possible termination, and knowing the difficulties of finding adequate employment at an older age, is in a desperate situation and is susceptible to even subtle forms of coercion. A hint dropped by the employer that the employee may soon be terminated, may be enough to get him to give up his legal rights in return for an early retirement package. Clearly, such a decision by an employee cannot be considered to be truly voluntary. In addition, many of these older workers when signing these waivers may have little, if any understanding of their rights under the ADEA, or knowledge that they may have a legitimate claim of age discrimination. This is of particular importance as the employer's actions, and the early retirement program itself, may violate the ADEA.

Congress has long looked with suspicion at waivers of rights to sue under the ADEA.

Since the ADEA was enacted in 1967, it has been interpreted as incorporating the enforcement procedures of the Fair Labor Standards Act (see *Lorillard v. Pons*, 434 U.S. 575 (1978)), which includes the requirement that waivers of rights have to be supervised by a Federal agency or a court to be valid. The congressional view of waivers was demonstrated by its reaction to regulatory activity in this area by the Equal Employment Opportunity Commission [EEOC]. On August 27, 1987, the EEOC, the Federal agency responsible for enforcing the ADEA, promulgated regulations permitting unsupervised waivers and releases of claims in a number of potentially coercive situations. The opposition to these regulations by senior citizen groups and many Members of Congress, resulted in the passage of amendments to the EEOC's appropriations for fiscal years 1988 and 1989, prohibiting the enforcement of the regulations.

On March 15, 1989, I joined Representatives HAWKINS, MARTINEZ, PEPPER, and a bipartisan group of other colleagues, in introducing H.R. 1432, the Age Discrimination in Employment Waiver Protection Act. It is my hope that his legislation will clarify the law in this area, and reinforce Congress' concern about waivers of rights.

The legislation would simply make any waiver obtained by an employer from an employee invalid unless it is supervised by a court, or it is obtained in settlement of an actual existing claim of age discrimination and certain protections are afforded the employee. Specifically, if not supervised by a court, a waiver is invalid unless it is obtained in settlement of a bona fide claim alleging age discrimination, that is, a charge filed with the EEOC, a complaint filed in court, or a specific written allegation submitted to the employer. In addition, the waiver is invalid unless a number of protections are afforded the employee in conjunction with the settlement. Among the protections are the following: First, the agreement cannot waive rights or claims that may arise after the date the agreement is entered into; second, the employee must be given a reasonable period of not less than 14 days to consider the agreement; third, the employee must be advised orally and in writing to consult with an attorney prior to entering into the agreement; fourth, the employee must be informed orally and in writing that he or she may be accompanied by another individual of his or her choosing to witness or assist him or her at all stages of the settlement.

Of additional significance is the fact that under this legislation of unsupervised waiver obtained in exchange for an early retirement incentive package, or other employment termination program, which provides enhanced benefits to a group of class or employees, is not valid.

By essentially restricting valid waivers to only those situations where an older employee has a bona fide claim alleging age discrimination, the legislation insures that waivers will only be used in truly adversarial circumstances. It is when this adversarial situation exists, when the older worker believes that he has been discriminated against by his employer and has taken formal steps to address the problem, that the older worker will be more likely to be aware of what his rights are under

the ADEA before waiving them. It is in the nonadversarial situation, such as the use of waivers in conjunction with early retirement incentives, that the possibility of employer abuse of waivers increases. I believe that this limitation on the use of waivers is critical to any legislation that we ultimately pass into law.

It should be noted that it is not the intent of this legislation to address the more general issue of whether certain types of early retirement programs violate the ADEA. While that is an issue of concern to me, and the subject of possible further investigation by the Select Committee on Aging, this legislation is only designed to address the specific issue of the legality of waivers of rights.

At the joint hearing on April 18, the committees will obtain general views on the issue of waivers, as well as on legislation that has been introduced. We will also seek out ideas for improving this legislation.

It is my hope that in this session of Congress we will be able to finally resolve this issue, in a manner that insures that older workers are accorded their full rights and protection under Federal law.

A TRIBUTE TO BREA-OLINDA HIGH SCHOOL GIRLS BASKETBALL TEAM

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. DANNEMEYER. Mr. Speaker, on Saturday, March 18, the young women of Brea-Olinda High School's Girls Basketball Team won their first State championship by a score of 70 to 46. Brea entered the championship game against an unbeaten opponent and, in smashing the foe, came close to matching their typical 34 point margin of victory.

Young women's basketball has every bit as much energy and emotion as that of its male counterpart. These fine young women of the Ladycats are to be commended for their excellent play and their meritorious example both on and off the court. Mr. Speaker, I ask that the following be inserted into the RECORD:

[From the Los Angeles Times, Mar. 19, 1989]

BREA-OLINDA IS UNSTOPPABLE
(By Elliott Teaford)

OAKLAND.—The Brea-Olinda High School girls' basketball team won its first state championship Saturday. And, boy, was it ever anticlimatic.

The Division III championship game against San Francisco Mercy at the Oakland Coliseum Arena was a little closer than recent 30-point blowouts, but there was little doubt Brea would win.

Certainly, the Brea fans knew what was to come—a 70-46 runaway. As has become their custom in the playoffs, they started singing "Na, na, na, na, hey, hey, goodby" as soon as Brea-Olinda took the lead early in the first quarter.

The Ladycats went on to open a 16-point lead at halftime, watched as Mercy got to within nine in the third quarter, then pulled away.

Brea (31-2) finished its season unbeaten against California schools. Its only two losses came in the Christ the King tournament in New York City in December. Brea is the first Orange County girls' team to win a state title. Mission Viejo, in 1982, is the only other county girls' team to play in a state title game.

Mercy, which came into the game as the tournament's only unbeaten team, finished 31-1.

When Mark Trakh, Brea's coach, removed the last of his starters with 38 seconds left, they donned T-shirts that read: Brea-Olinda Ladycats 1989 State Champions.

Then when the buzzer sounded, the Ladycat players ran onto the court and embraced each other. But other than that, Brea's victory seemed almost routine.

None of Brea's playoff games, except for a seven-point victory over Lakewood St. Joseph in the Southern Section 3-A semifinals, had the intensity of a game against Orange League rival Valencia.

Brea came into the state title game with a 34-point average margin of victory in its past four games. And that included the Southern Section and Southern Regional championship games.

Only in the third quarter Saturday, when Mercy cut into Brea's 28-12 halftime lead, did the game feature any drama.

Mercy got to within 37-28 with 1:42 left in the quarter, but then Brea's Aimee McDaniel got hot.

McDaniel, a junior guard, made two consecutive pull-up jumpers. Then, after a basket by Mercy's Jovonne Smith, McDaniel added a driving layup to push Brea's lead back to 43-30.

"I don't know if our kids thought it was over or what," Trakh said. "I told our kids at halftime to watch out, that they would come back."

McDaniel had 22 points, most on outside jumpers. Jinelle Williams, a 5-foot-8 center, had 23 points to lead Brea. She had little trouble contending with Angel Mahan, Mercy's 6-2 center, driving easily around Mahan repeatedly.

"I looked up at her a couple of times—she was [looked] intimidating," Williams said. "But she didn't do anything."

Brea's Jody Anton (eight points, 10 rebounds) and Cindy Gunn (four points and seven rebounds) also had an easy time of it inside. Even McDaniel, just 5-6, was able to get nine rebounds.

The Skippers made just five of 24 shots from the field (20.8%) in scoring a season-low 12 points. Mercy seemed a step slow and couldn't stay with Brea.

FOR LADYCATS, HARDEST PART WAS GETTING THERE

(By Tom Hamilton)

OAKLAND.—Winning the State Division III girls basketball championship was relatively easy for Brea-Olinda High School. The hard part was getting to the Oakland Coliseum Arena.

Mark Trakh, Brea's coach, decided it would be best to depart for Oakland Saturday morning to avoid what he feared would be "a giant slumber-party situation" for his girls if they traveled on Friday.

When they finally arrived, the Ladycats cruised to a 70-46 victory over San Francisco Mercy to win their first state title. But it was a strange trip to Oakland.

Brea departed from Ontario Airport at 8:30 a.m. Saturday and encountered a heavy storm in the Bay area upon its descent into

Oakland. The flight turned into a roller-coaster ride before landing safely.

"The hard part is over, now we can play the game," Trakh told his players when they arrived. "It got kind of hairy for a while there."

John Hattrup, Brea's assistant coach, said the plane shook as if it were in an earthquake and then bounced up and down during the descent.

"We started going back up and Mark turned to me and said, 'We're going back up.' I told him, 'That's better than going down.'"

Aimee McDaniel, Brea's gifted point guard, had to calm Trakh during the flight.

"She told me, 'Relax coach, it's just a little turbulence,'" Trakh said. "I guess that's why she's our point guard. She doesn't worry about anything."

McDaniel apparently didn't worry when she missed seven of her first eight shots and had only three points after one quarter. She just kept shooting.

When Mercy trimmed Brea's lead to 18-12 midway through the second quarter, it got McDaniel thinking.

"I said, 'Wait a minute, this has got to stop,'" McDaniel recalled saying. "I've got to do something." The point guard should be taking control, and I wasn't."

McDaniel responded by making three consecutive baskets to move the Brea comfortably ahead, 24-12.

McDaniel's outside shot was off, so she decided to drive the lane during the scoring streak, and each time she dribbled past two opponents for layups.

McDaniel finished with 22 points, making nine of 22 from the field. She also had nine assists before leaving the game with 1:22 remaining and the state title clinched.

"When I made those three shots, it boosted my confidence," said McDaniel. "This game was kind of opposite to the way I've been playing in the playoffs."

"I've been having great first halves and poor second halves. It was nice to have a good second quarter. I took awhile to get comfortable in the arena. I walked in, looked around and said, 'Holy cow, this is huge, dude.'"

A TRIBUTE TO PAT SINGER

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. SOLARZ. Mr. Speaker, the district I represent encompasses some of this Nation's most diverse and colorful ethnic neighborhoods. One such community, which has become world famous for its especially rich cultural flavor, is Brighton Beach.

Contrary to popular belief, great neighborhoods don't just happen. They are most often the product of hard work and dedication on the part of community organizations and their leadership. In Brighton Beach such leadership and vision has been amply provided by the Brighton Neighborhood Association under the vigorous and creative direction of their executive director, Pat Singer.

The child of immigrant parents herself, Pat Singer has always shown exceptional patience and sensitivity to the unique problems of Brighton's large newly arrived ethnic population. In her 11 outstanding years of service

with the BNA, Pat has presided over many of the organization's most effective community development programs.

Pat's persistence and administrative creativity has helped make the BNA one of the most innovative and responsive community organizations anywhere. At a time when few had ever thought to actively advocate the rights of tenants and provide them with a sounding-board for their complaints, the BNA led the way, sponsoring tenant counseling programs and providing people with access to the information necessary to make prudent housing decisions.

More recently, Pat has helped lead the fight against drug abuse and crime in Brighton Beach. Through such far-ranging endeavors as the BNA's truancy and juvenile counseling program, and a groundbreaking senior citizen anticrime program, Pat has helped Brighton Beach address the origins of violent urban crime while helping people to combat its devastating impact.

In the light of such an exceptional record of achievement, I would be terribly remiss in not taking this opportunity to pay tribute to Pat Singer. On behalf of myself, my staff, and the thousands of people whose lives have been bettered by the remarkable efforts of the Brighton Neighborhood Association, I extend my deepest thanks to Pat Singer.

PUTTING FAMILY FIRST

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. SMITH of Texas. Mr. Speaker, this Nation should not be judged on the strength of its defense or the strength of its economy alone, but on the strength of its families. The family unit builds the moral foundation of our society, and without it military and economic strength will prove meaningless.

This week I begin my first term as a member of the Select Committee on Children, Youth and Families. My work on this committee will afford me the opportunity to find ways to encourage strong families. As Congress debates issues like parental leave and child care, we need to remember the place of the family in the laws we make.

Today I submit for the RECORD a letter sent to me by a friend and constituent who believes, as I do, that families come first not only in debate, but in practice as well. That letter encouraged a column, which is also submitted.

Let us look to our prosperity for the source of our national strength, but rather to the family unit. A nation built on wealth without basic principles cannot remain strong, but a nation built on the strength of its basis principles will easily retain its wealth.

SAN ANTONIO, TX.

DEAR LAMAR, This letter is an effort to recap a recent conversation you and I had on the subject of parental leave. Let me reiterate my strong feelings about young children and "the family", namely that these are of utmost importance to our future as a Nation as they are the foundation of our whole society. My master's degree in Child

Development and 16 years work experience with young children and their parents point to my slant in my point of view. However, generally I am strongly against the Federal Government stepping in to be "the solution" for problems involving the family. I feel Government regulation and bureaucracy is too often the problem and not the solution.

However, I do make an exception on "Government regulation" when the topic turns to parental leave. The first few months of a child's life are crucial to the future well-being of that child. This is such a critical time for parent-infant bonding, which to a great degree will determine the parent-child relationship for years to come. That in itself is a strong argument in favor of parental leave, but there's much more involved.

Some people fear that by allowing mothers to have time off when their babies are born and then guaranteeing the mothers their jobs after a leave, that this would encourage mothers to go back to work instead of staying home with their babies. It is possible that this might happen in some instances. But when mothers are permitted to stay home with their babies for up to 10 weeks in a non-stressful atmosphere where they are not fretting about their jobs, normal mother-infant bonding will occur, and many mothers will realize they want to stay home and care for their babies.

Another important point to be considered is that returning to work is not an option for many mothers. (Let me remind you that I feel strongly that children are best nurtured, and have the best chance of developing healthily, when the mother is the full-time caregiver, or is working only part-time.) But for economic reasons, many women are required to work full-time. Obviously, the less stress involved in going back to work, the better off the baby will be. Also, with parental leave of ten weeks, the mothers will not rush back to work after only a few weeks off.

The most difficult job in the world must be that of a single parent raising her child alone. My heart goes out to the many women who find themselves pregnant with a husband who has walked out on them and their unborn children. These women have absolutely no option but to continue working after their children are born. Their lives are incredibly stressful and unhappy and embittered and lonely. To add to this the burden of possibly losing their jobs when their babies come, is simply too much to bear. We as a society owe them the chance to have their babies with their jobs guaranteed when they return in ten weeks.

As a small business employer of young women, I can say it is not too difficult to plan for a temporary replacement since you have plenty of advance warning that the mother will be gone. It is easy to verify that maternity leave is indeed the cause of her absence.

In the case of leave for a sick child or parent, there is obviously no way to plan for this, and the business would be inconvenienced. But when I think how I would feel if my child or parent became ill, I realize how others must feel also. That person should be with their ill loved-one, no questions asked. The employer simply would have to make emergency alternative arrangements. There would have to be a system in place to check the necessity for leave, such as a doctor's verification, but I doubt that many people would try to cheat on this provision since their pay would be suspended.

I hope this letter covers all the points we discussed. Thanks so much for your willingness to let me "bend your ear" on this subject.

Fondly,

KITTY.
(Mrs. Richard Lange).

THE PARENTAL LEAVE DEBATE: WHERE IS THE CHILD?

(By Congressman Lamar Smith)

Most Americans are working to see that their children get through school, to help buy that house they've always wanted, or to save up for the future.

As the face of our workforce changes to include more young parents, the priorities of that workforce are fast becoming family health and job security.

Congress may soon be voting on one of the major issues facing families and businesses this year.

The Family and Medical Leave Act of 1989 seeks to respond to shifting priorities by calling for businesses to provide job security to employees who need to take time off for child-bearing or family illness.

The bill calls for businesses with over 50 employees to guarantee 10 weeks of unpaid family leave over two years and 15 weeks of unpaid medical leave a year, if a need is demonstrated by an employee. Employees would then be able to return to their jobs without loss of benefits.

The issue has been of particular interest to me because of the impact any decision will have on young children.

Supporters of the bill present their case in terms of benefits to working women. Opponents of the bill base their case on the costs to small business.

One player is often sidelined. That player is the child. As debate continues on parental and medical leave we cannot forget the impact our decision will have on families. In fact, the family should be in the forefront of debate.

The first two months of a child's life are among the most critical for both parent and child. We need to look at ways to provide families the opportunity to be together during that time. Most businesses are uncomfortable with the philosophy behind "mandated benefits." This criticism has concerned me because I firmly believe in the free enterprise system. I don't like government intervention in private life or business lightly.

Some reasonable objections to the parental leave proposal have been raised, along with some reasonable answers.

One problem is the legislation's potential to disrupt a business operation when an employee must take leave. Businessmen feel they are not guaranteed enough flexibility to handle such disruptions.

The bill does offer business an option. The five highest paid employees or the highest paid 10% (whichever is greater) are not eligible for this benefit. Disruptions may also be limited by requiring employees to give advance notice of foreseeable leave.

Many employers are worried that this type of leave is open to abuses. However, medical certification is required to prove that the employee's leave is necessary.

Some employers also fear that they would be unable to plan for employee leave time. In the case of parental leave, this would not be a problem, as any family expecting a child has ample advance warning.

We cannot legislate healthy families, but we can encourage an environment that lends itself to good habits. If just one parent-child relationship is ultimately

strengthened by parental leave, then the bill should be considered on those merits.

Healthy families build healthy neighborhoods and healthy societies. They are the basis on which all else rests.

CONGRESSIONAL SALUTE TO JOSEPH VUKSTA OF PASSAIC, NJ, IMMEDIATE PAST COMMANDER, ROSOL-DUL MEMORIAL POST NO. 359 AMERICAN LEGION

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. ROE. Mr. Speaker, on Saturday, April 15, residents of the city of Passaic, my congressional district and the State of New Jersey will gather together at the annual past commanders dinner of Rosol-Dul Memorial Post No. 359 of the American Legion, a gala anniversary celebration of the veterans of our community in testimony to the outstanding endeavors of their leadership in veterans affairs—always giving willingly and unselfishly of their time in seeking justice and equity for all of our people.

This year's featured honored guest is the immediate Past Commander Joseph Vuksta of Passaic, NJ, whose standards of excellence as the chief executive officer of Rosol-Dul Memorial Post No. 359 during 1987-88 have served to carry on the sterling traditions and purpose of this highly esteemed veterans association which has truly enriched our community, State, and Nation.

Mr. Speaker, the Rosol-Dul Memorial Post No. 359, which was organized in the fall of 1945, is one of our Nation's most prestigious affiliates of the American Legion. We are all familiar with the noble goals and objectives of the 2.6-million member organization of the American Legion. These military service veterans, working through 16,000 community level posts, dedicate themselves to God and country and traditional American values; a strong national security; adequate and compassionate care for veterans, their widows and orphans; community service, and the wholesome development of our Nation's youth. Comdr. Joseph Vuksta has, by his example and lifetime of dedication to these some true American ideals, personified exemplary leadership in his responsible service to our people.

Mr. Speaker, Comdr. Joseph Vuksta was raised in Passaic, NJ, attending local schools. He served our people and our Nation with distinction during World War II as a radioman third class with the United States Navy from 1943 to 1946. Mr. Vuksta, who worked for Uniroyal for 31 years before assuming his current duties at Montclair State College, has been a member of the Rosol-Dul Memorial Post No. 359 for 35 years, attaining the status of life member of the post. He served in numerous important capacities with the post before attaining the high office of public trust as commander of this esteemed veterans organization, assuming the positions of vice commander membership chairman of the post along with his active participation on numerous committees.

Mr. Speaker, throughout his lifetime, Comdr. Joseph Vuksta has forged ahead with dedication, devotion, and sincerity of purpose in all of his endeavors and pursuits, and most certainly in his leadership and guidance of this outstanding American Legion post.

It is indeed appropriate, then, that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America, and I am pleased to call your attention to Comdr. Joseph Vuksta's lifetime of outstanding service. We do indeed salute a most distinguished leader, a good friend and a great American—the immediate past commander of Rosol-Dul Memorial Post No. 359 of the American Legion, Comdr. Joseph Vuksta of Passaic, NJ.

BERNARD POLLACK, PAST GRAND CHANCELLOR OF THE PENNSYLVANIA KNIGHTS OF PYTHIAS

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. BORSKI. Mr. Speaker, I rise today to honor Bernard Pollack, the past grand chancellor of the Pennsylvania Knights of Pythias.

Mr. Speaker, Bernie Pollack was born in Philadelphia in 1923. He graduated from Northeast High School in my district, and served in the Army in World War II. Bernie attended Temple University.

In 1951, Bernie Pollack joined the Ben Ort Lodge, No. 515, of the Order Knights of Pythias. As you may know, the Knights are dedicated to the cause of universal peace and are pledged to promoting the concept of good will among men as the surest means of attaining that peace.

Bernie served on numerous committees, and in 1954 he became chancellor commander of Ben Ort. From 1955 to 1965, he was also the lodge's financial secretary. Bernie was Ben Ort's "Man of the Year" in 1971 and was awarded the Legion of Honor from the Chapel of the Four Chaplains in 1979.

Bernie Pollack joined the grand lodge in 1964, became Ben Ort's delegate in 1972 and was elected grand trustee in 1974. In 1986, Bernie was honored by the past grand chancellors when they named him Pythian of the Year.

Bernie Pollack has truly lived up to the philosophical triad that is the foundation of the Knights of Pythias: Friendship, charity, and benevolence.

ROCKSIDE SANITARY LANDFILL, GARFIELD HEIGHTS, OH

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. FEIGHAN. Mr. Speaker, this statement is an account of the conditions and unfair financial burden and liability placed upon 17 Greater Cleveland communities associated

with the problems at the Rockside Sanitary Landfill, Inc., in Garfield Heights, OH.

From about 1966 to 1971, a solid waste landfill—the Matousek landfill—was operated on property located at 11400 Valley Lane Drive in Garfield Heights, OH. This property is now referred to as Permanent Parcel No. [PPN] 543-07-001. The property was operated by Rockside Hideaway Landfill, Inc. In 1967, the Matousek landfill ceased accepting waste, although the U.S. Environmental Protection Agency [U.S. EPA] contends that the facility ceased accepting waste in 1971.

In April 1988, the city of Garfield Heights Fire Prevention Bureau detected high levels of combustible methane gas at the landfill site and nearby residences. The gas levels were serious enough to require evacuation of some of the residents to ensure their safety. The State of Ohio and the city of Garfield Heights took action to deal with the emergency situation, but it became necessary for the U.S. EPA to take additional action.¹ Under an administrative order pursuant to section 7003 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6973), the U.S. EPA required the respondent(s) to U.S. EPA's orders—Note: By the time U.S. EPA invited participation by the city of Cleveland, and later by some of the suburban communities, U.S. EPA had already expended some \$400,000 to vent the methane gas:

To take actions to abate an imminent and substantial danger to the public health and environment arising from the actual and continuing threat of the release of methane gas from the landfill.

Seventeen Greater Cleveland communities were and still are affected by this order even though the subject landfill is only located in one of the suburbs—the city of Garfield Heights.

Mr. Speaker, in an August 4, 1988, letter to the Hon. Beryl Rothschild, mayor of University Heights, OH, the U.S. EPA took the position:

That those parties who sent waste to the facility have a legal responsibility, pursuant to section 7003 of the Resource Conservation and Recovery Act (42 U.S.C. 6973) to undertake corrective measures at the site and to reimburse the U.S. EPA for its past and ongoing costs.

This same order was sent to a total of 17 other communities U.S. EPA identified as having sent waste to this facility.

In the same August 4 letter, the U.S. EPA agreed to entertain an offer from the affected municipalities to take over the ongoing remediation activities at the site, to have those same entities operate and maintain the gas extraction system, and to then reimburse the U.S. Government for its costs. The U.S. EPA made this offer as a gesture it would take prior to commencing formal action against the municipality or municipalities, should that action become necessary. In a May 16, 1988, Ohio EPA letter from Mr. Richard L. Shank, Ph.D., director, to Mr. Valdas V. Adamkus, U.S. EPA Regional Administrator [Chicago], the Ohio EPA requested emergency removal action at the landfill site because of the meth-

ane gas threat to residents. In the same letter, the Ohio EPA states:

That it [Ohio EPA] will be responsible for operation and maintenance of any gas collection equipment installed as a part of this removal action. Responsibility will be transferred to the Ohio EPA through contract executed by both agencies.

To clarify inconsistencies and vague statements in U.S. EPA and Ohio EPA correspondence directed to the 17 affected communities, we sent letters of inquiry and letters seeking additional information from these agencies. We requested an opinion from the U.S. House of Representatives Office of the Clerk Litigation Counsel asking for legal clarification of U.S. EPA's position on the issue. To dramatize the seriousness of the safety problem at this landfill, to illustrate the financial repercussions that could occur against the 17 communities, and to let responsible parties know of our interest, we informed the Greater Cleveland Growth Association and the County of Cuyahoga District Board of Health about this issue. Both organizations responded with the same concern about the adverse effect this situation could have on the municipalities.

Mr. Speaker, there is confusion among the local municipalities regarding the extent, purpose, and mandate of two Federal programs: The Resource Conservation and Recovery Act [RCRA] and the Comprehensive Environmental Response, Compensation and Liability Act [CERCLA]. As interpreted, RCRA allows the U.S. EPA to regulate hazardous waste while CERCLA provides U.S. EPA authority to respond to releases or threats of releases of hazardous substances. According to representatives of those municipalities, there is uncertainty as to which law or laws the U.S. EPA is invoking to take action against them. The U.S. EPA considers this problem so serious that it has established a municipal settlement task force to try and determine how it will treat local governments accused of creating these toxic waste sites. The task force, which is composed of representatives from national organizations such as the National League of Cities [NLC], the Chemical Manufacturing Association, and the Petroleum Institute, as well as individual companies and local governments, is having a difficult time arriving at agreement on the wide variety of issues on its agenda.

In 1980, Congress created Superfund and authorized \$1.6 billion as a short-term effort to rid the Nation of hazardous waste dumps. In 1986, Congress reauthorized Superfund to the tune of \$8.5 billion through 1991 to clean up hazardous waste sites across the country. The Superfund Program has two components: (1) a Federal fund that is authorized to pay for the cleanup of the worst hazardous waste sites across the country; and (2) a stringent liability scheme to enable the U.S. EPA or the States to recover the cleanup costs from the parties which are responsible—Note: What makes a party responsible is critical to the argument and there is uncertainty as to why the municipalities are responsible for dumping waste at the sites. There are over 226,000 solid waste facilities in the United States with more than 1 billion tons of solid waste produced annually. There are about 6,000 operating municipal landfills with an estimated 50

percent expected to close in the next 5 to 7 years.

Under Superfund, U.S. EPA holds local governments liable in the same manner as private and commercial parties. However, municipalities should be treated differently than the private sector in the settlement process because they both have different interests. Municipalities provide a public service—perform a fiduciary duty—whereas private companies are operating as a business to make a profit. Imposing liability on local governments for substances that might be found in municipal solid waste may work unfairly to shift costs from commercial entities to the taxpayer. U.S. EPA should look at the State's role in paying a municipality's share as well as paying for clean-up, ongoing, and future costs. Knowledgeable observers believe that U.S. EPA's policies toward local governments with respect to this most mammoth of environmental programs have the potential to make or break not only municipal treasuries—already severely drained—but also to break the delicate Federal, State, and local partnership, built up over the years to resolve pressing environmental issues.

Mr. Speaker, there is no compelling evidence to indicate that when Congress created Superfund municipalities would and should be held specifically liable for resolving the problems and assuming the maintenance, operation, and ongoing future costs associated with hazardous landfill waste sites. U.S. EPA has assumed this position in its deliberations with municipalities and has totally ignored the devastating financial burden this places on the community. Municipalities do not have the financial resources nor the technical capabilities to resolve serious hazardous waste problems at landfill sites. That responsibility belongs to the State and the U.S. EPA. In its deliberations—in order to protect the financial stability and integrity of municipal tax bases—Congress should consider establishing a statute of limitations to control U.S. EPA attempts to recover indiscriminate costs against municipalities as a result of hazardous waste problems at landfill sites. Neither section 7003 nor section 6973 were intended by Congress to be applied retroactively to municipalities or citizens as potential responsible parties. At a minimum, recoupment should be limited to only those cases in which the pollution was clearly caused by specific, identifiable carelessness on the part of the municipality. To quote a February 6, 1989, U.S. News and World Report article on the performance of the U.S. EPA and Superfund: Superfund, superfluous.

Mr. Speaker, if Congress had any intent whatsoever of including municipalities in the same category as private commercial and industrial enterprises when it created Superfund and gave it its mandate, Congress would have crafted the legislation differently. So far, we have been unable to locate any conclusive evidence or testimony confirming the idea that municipal corporations were to be subject to recoupment or penalties under the circumstances mentioned here. Congress should seriously examine this issue and do what is necessary to resolve the disparity between con-

¹ U.S. EPA has never fully explained why the State of Ohio lacked the financial capacity and technical capabilities to resolve this problem.

gressional intent and the effect this process is having on municipalities.

U.S. MARINE CORPS MUSEUM

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. LOWERY of California. Mr. Speaker, tradition is the passing down of elements of a culture from generation to generation. Tradition fosters a sense of pride, camaraderie and commitment to one's heritage. It is a pleasure to take this opportunity to elaborate on a museum that reflects the tradition of the U.S. Marine Corp.

The U.S. Marine Corp, a service rich in tradition, has dedicated a museum solely to the purpose of restoring and enriching its history to new recruits as well as the enjoyment of all. The museum is located at the Marine Corps Recruit Depot in San Diego, CA; the museum officially opened on November 10, 1987.

The project was first conceived during the early 1970's by Maj. Gen. Marc Moore, Col. Mick Mickelson, Lt. Col. Bob Calland, Maj. Jack Bruck, Maj. Arthur Weiss, and Sgt. Maj. Bill Paxton. After years of planning the commanding general appointed Mr. George Kordela to be the Director and Curator of the museum.

The museum began to take shape in a 70-year old building. The museum has more than 11,000 feet of exhibit area, a theater, a reception room and a courtyard. The renovation cost \$850,000 for the building and surrounding area. The result provides an excellent teaching vehicle for the estimated 70,000 recruits who tour the site each year.

In the main gallery, an exhibit highlights 11 periods of Marine history in the San Diego area. The history begins with the Mexican American War 1846-48, in which the first American flag was raised by the Marines in Old Town. Other time periods include the Marine Barracks 1911-21, Expeditionary Base 1915-26, Marine Mail Guard 1924-40, World War II and Korea 1939-54, the Vietnam Era and the intervening years 1954-87. Other areas are devoted to recruit training, the development of the drill instructor, sea school and the marine of the future.

On April 14, 1989, the museum will open its newest exhibit "75 Years of Marine Corps Aviation—A Tribute." This special exhibit consists of paintings which portray scenes from World War I to the present. The exhibit commemorates the Marine Corp Aviator, honoring marines in action all over the continent. Paintings include such titles as "Dogfight," "Aerial Resupply," "Managua Trimotors," "At the Edge of Henderson Field," and "Landing Zone."

The museum also hosts special exhibits such as the work of combat photographer David Douglas Duncan. The museum theater is used primarily for educational films. Such films as "The Sands of Iwo Jima," starring Mr. John Wayne, expand on the corps history.

THE DEATH OF OLYMPIO SALTARELLI

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 10, 1989

Mr. CONTE. Mr. Speaker, I rise today to honor the memory of Olympio "Shebe" Saltarelli, a fine man and very close friend, who passed away last month. On March 11, I gave a eulogy at the funeral for Shebe at All Soul's Parish in Pittsfield. I would like the following remarks from the eulogy entered into the CONGRESSIONAL RECORD.

REMARKS OF THE HON. SILVIO O. CONTE EULOGIZING OLYMPIO SALTARELLI

Just like so many of you here this morning, Shebe and I spent a lifetime together. A lifetime of joys, of pain, of friendship, of dreams. Shebe played a big part in my life. He was a man who invested a lifetime of love and dedication in his relationships with his family, his community and his God.

When I reflect upon the life of Shebe Saltarelli I can't help but feel that he was a person whose life we have all idolized. In our early days, as ten years my senior, Shebe was the handsome, debonair young man in the neighborhood whom you could only dream of being like. When I was growing up, I used to play with the Carletti brothers, who lived just above the Saltarellis on Newell Street. I always remember how generous and good natured he was to all those who knew him.

Shebe was a youngster filled with vitality. That vitality was present in a hearty laugh or a whirlwind evening on the dance floor. His quick wit and soft shoe led to the inevitable—the marriage of one of the sharpest couples around. Any reflections about Shebe have to center around Leah, because in every sense she meant everything to him. Just as she was by his side during the difficult days of his illness, they stood together through the events of a lifetime, sharing the joys and sorrows of their life.

Central in their life was the rearing of their children and their children's children. The greatest joy in Shebe's life came in the opportunities he had to share in the life of his children. Whether it was time with the grandchildren, great grandchildren, or fixing up things around the children's homes, Shebe received his greatest pleasure when he was a part of his children's lives.

It was this generous personality that made Shebe so special to me. When I was a State Senator, Corinne and I would often enjoy the pleasure of Leah and Shebe's visits to us in Boston. They would always stay at the Kenmore Hotel, and the four of us would enjoy the unique dynamics that would take place between a Red Sox fan like Leah and a Yankee fan like Shebe. It always led to great fun—and that was what Shebe was all about.

Corinne and I had the good fortune to spend many hours in the company of Leah and Shebe. When our family was young Corinne and I decided to take our four children on a trip to Canada. Leah and Shebe agreed to come along and it turned out to be the trip of a lifetime. It was wonderful! We had a cabin on a lake and we camped and fished for an entire week. Leah loved to fish and there was a tiny row boat in which we spent hours on the lake. The four of us had a passion for playing cards and we would

stay up until all hours of the night playing pinochle.

On another occasion, we all got away for a weekend in Canada without the kids. I was a young lawyer at the time and I was making the trip so I could deliver a settlement check on one of my cases. There had been a car accident in Pittsfield involving a boy from Canada who only spoke French. Dr. Desautels, who treated him for his injuries, asked if I could help the boy with an injury claim. As the story goes I won a sizable settlement and it was Good Friday when we arrived in Montreal to deliver the check. All of the businesses were closed on good Friday so when we arrived we couldn't even get a drink. Because of the holiday, the French boy, who was also suffering from tuberculosis, thought he was experiencing a miracle when I handed him the check. He was so overjoyed that he called all of his friends and relatives and collected enough libation to carry us for a week. We made it to Quebec and spent the entire weekend playing cards. It was a tradition for us to play cards at the Conte cottage, or we would take up at the Saltarelli house on those times when I was traveling in from Washington. Whenever I grumbled about a bad card that Shebe had played he would always say, "what do you want me to do—call the cops?" It got so that we would all chime in with his predictable response to this question, "They wouldn't come anyway."

This phrase I think characterizes the gentle simplicity of Shebe Saltarelli. He was a man who just enjoyed life, pure and simple! For years I hosted a Spring Fishing Derby on Onota Lake. Shebe would spend hours slowly smoking the turkey and some of the fish for our game dinner. We would be sure that there was plenty of coffee royal and he would be sure that the game was smoked to perfection. He enjoyed sharing a tall tale with his fellow outdoorsmen the way only Shebe could, and we would all enjoy the pleasure of his personality.

Shebe was an outdoorsman and his favorite affiliation was with the Lakewood Sportsmen's Club. There was nothing he liked more than a successful rabbit hunt. When he was not engaged in hunting he would enjoy an afternoon of bocci and a chance to talk about the exploits of his beagle. A visit to the Saltarelli home always meant a moment in his garden, a word with his dog and a sip of his wine.

True to his roots, Shebe took great pride in the practice of wine making. He aged his wine from California grapes, and the Saltarelli vintage became the toast of the town, far surpassing the varieties of other local winemakers.

One of his greatest joys came from his success in the garden. Whenever I visited the house in the summer Shebe would take me straight to the garden and we would inspect the fruits of his labors. His hands would massage those plump tomatoes like a pitcher looking for the seams of a baseball. He was at home in his garden and he was always anxious to share the joy he received from this contact with nature. In many respects, I think that Shebe cultivated friendships and family in the same way he triumphed as a gardener—nurturing, ever vigilant, strong, and proud of his success.

As much as Corinne and I enjoyed our time together with Shebe and Leah, what I think I will remember most about Shebe is the love he had for his Lakewood community. This love was a shining example for me on how an individual can contribute to their local community.

In Matthew, Chapter 25, verse 34-40 we hear:

"For I was hungry and you gave me food; I was thirsty and you gave me drink; I was a stranger and you made me welcome; naked and you clothed me, sick and you visited me, in prison and you came to see me . . . in so far as you did this to one of the least of these brothers of mine, you did it to me."

Shebe always responded to the needs of others through his life in Lakewood. He was always quick to make a stranger feel welcome and he never hesitated to provide whatever sustenance a person needed to make their life easier. Throughout his life, he was a shining example of the kind of "public citizen"—dedicating himself to his family and his community—that makes me so proud to represent this neighborhood and this district in the U.S. Congress.

Very often it was through the example of Shebe's life that I found strength to do my work in Washington. His kind and reassuring presence inspired me to move forward and his loss creates a real void in my life. When I reflect upon his inspiration I can see his face developing that slow smile which was never far from his lips, and I can feel the warmth from the sparkle that was always in his eyes.

For every day that I knew I could not be close to the heart of my district—attending a gathering of G.E. pensioners or going to a sportsmen's dinner—I took great comfort in knowing Shebe would be there. I'm not sure he ever knew how much his example became a part of what I did in Washington.

You know, I never had a brother, and I really don't know how my life would have been different if I had. One thing I do know is that Shebe came about as close to a brother to me as anyone ever could. I feel a part of his fine family, and if that means that their pain in his loss is close to what I'm feeling, then I offer to all of them my most profound wishes of sorrow.

Leahy, Marty and Lois, Lenora and Zeke, grandchildren and great grandchildren, you should feel great strength in knowing that your husband, your father, your grandfather and your great grandfather left so much of himself in the people around him, and in you. Shebe Saltarelli was a man who was helpful, big-hearted, idealistic, daring, decent and fair. And the family and friends of Shebe's should reflect on the memories we have of him—reflections of unity, affection, and love.

The value of reflection is to inspire us to the future. It is my hope and prayer that our memories of Shebe Saltarelli will strengthen our lives and lead us to move forward with the same joy and spirit that Shebe brought to his own life.

One of the greatest things that can be said about a man is that he is a good man—in my book Shebe Saltarelli was a good man!

"Well done my good and faithful servant . . . enter thou into the joy of thy Lord."—Matthew 25:21

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate

Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, April 11, 1989, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 12

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the Social Security Administration and the Health Care Financing Administration.

S-126, Capitol

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on education competitiveness in children's television.

SR-253

Governmental Affairs
Permanent Subcommittee on Investigations

To resume hearings to examine the racketeering suit against the Teamsters Union and the government's use of the Racketeer Influenced and Corrupt Organizations (RICO) Act (P.L. 91-542) to impose trusteeships on labor unions and other business entities.

SD-342

9:30 a.m.
Armed Services
Readiness, Sustainability, and Support Subcommittee

To continue hearings to review recommendations of the Defense Secretary's Commission on Base Realignment and Closure for closure of certain military bases.

SR-222

Armed Services
Manpower and Personnel Subcommittee
To hold hearings on S. 653, to revise and improve the aviator career incentive pay program, to extend for 3 years the aviator bonus program.

SR-232A

Energy and Natural Resources
Business meeting, to consider the nominations of W. Henson Moore, of Louisiana, to be Deputy Secretary of Energy, John Chatfield Tuck, of Virginia, to be Under Secretary of Energy, and Donna R. Fitzpatrick, of the District of Columbia, to be Assistant Secretary of Energy for Management and Administration.

SD-366

Judiciary
Antitrust, Monopolies, and Business Rights Subcommittee
To hold hearings on competitive problems in cable television.

SD-226

Rules and Administration
To hold hearings on S. 7, S. 56, S. 137, S. 242, S. 326, S. 330, S. 332, S. 359, and S. 597, bills to provide for spending limits and public financing for Federal elections.

SR-301

10:00 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for energy and water development programs.

SD-192

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the U.S. Coast Guard.

SD-124

Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Office of the Secretary of the Treasury, and the Federal Election Commission.

SD-116

Foreign Relations
To resume hearings on the future of U.S.-Soviet relations.

SD-419

Joint Economic
To hold hearings to discuss worldwide economics.
2203 Rayburn Building

10:15 a.m.
Banking, Housing, and Urban Affairs
Business meeting, to mark up S. 413, to reform, recapitalize, and consolidate the Federal deposit insurance system, and to enhance the regulatory and enforcement powers of Federal financial institutions regulatory agencies.

SD-538

2:00 p.m.
Agriculture, Nutrition, and Forestry
Domestic and Foreign Marketing and Product Promotion Subcommittee
To hold hearings to review the General Agreement on Tariffs and Trade proceedings as they relate to agriculture.

SR-332

Commerce, Science, and Transportation
To hold hearings on the nominations of Elaine L. Chao, of California, to be Deputy Secretary of Transportation.

SR-253

Foreign Relations
To hold hearings on the nominations of Henry E. Catto, of Texas, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, and Vernon A. Walters, of Florida, to be Ambassador to the Federal Republic of Germany.

SD-419

APRIL 13

9:30 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of Agriculture. SD-124

Commerce, Science, and Transportation
Aviation Subcommittee
 To hold hearings on aviation security. SR-253

Energy and Natural Resources
 To hold oversight hearings on the U.S. electricity supply and demand in the northeast. SD-366

Small Business
 To hold hearings on the impact of Section 89 of the Internal Revenue Code on small business. SR-428A

10:00 a.m.
Appropriations
Defense Subcommittee
 To hold open and closed hearings on proposed budget estimates for fiscal year 1990 for defense programs, focusing on CINCOSOUTH/CINCOSOF. SD-106

Appropriations
Legislative Branch Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Office of the Secretary of the Senate, Senate Sergeant at Arms, and Congressional Budget Office. S-146, Capitol

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of State. Room to be announced

Foreign Relations
 Business meeting, to consider S.J. Res. 82, disapproving the certification by the President with respect to Mexico under section 481(h) of the Foreign Assistance Act of 1961 and pending nominations. SD-419

Judiciary
 Business meeting, to consider pending calendar business. SD-226

2:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
 To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Agriculture. SD-124

Select on Intelligence
 To hold closed hearings on intelligence matters. SH-219

2:30 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
 To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the Family Support Administration and Human Development Services. SD-138

Foreign Relations
 To hold hearings on the nominations of Michael Hayden Armacost, of Mary-

land, to be Ambassador to Japan and James Roderick Lilley, of Maryland, to be Ambassador to the People's Republic of China. SD-419

APRIL 14

9:00 a.m.
Armed Services
 To hold open and closed hearings on developments in the international security environment and their implications for U.S. security requirements. SR-222

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
 To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the Office of the Assistant Secretary for Health and the Centers for Disease Control. SD-138

Commerce, Science, and Transportation
Foreign Commerce and Tourism Subcommittee
 To hold hearings on the importance of scenic byways to national tourism. SR-253

Environment and Public Works
 To hold hearings on the nomination of William G. Rosenberg, of Michigan, to be Assistant Administrator for Air and Radiation, Environmental Protection Agency. SD-406

Judiciary
Constitution Subcommittee
 To hold hearings on S. 675, to eliminate discriminatory barriers to voter registration. SD-226

Select on Indian Affairs
 To hold oversight hearings on the implementation of the Indian Financing Act Amendments (P.L. 98-449). SR-485

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Office of Management and Budget (Office of Federal Procurement Policy), Commission on Government Ethics, and the National Archives and Records Administration. SD-116

APRIL 17

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
 To hold hearings on space transportation budget and policy. SR-253

10:00 a.m.
Appropriations
District of Columbia Subcommittee
 To resume hearings on the crime and drug crisis in the District of Columbia. SD-192

Appropriations
Interior Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for fossil energy and clean coal technology programs. S-128, Capitol

Judiciary
Technology and the Law Subcommittee
 To hold hearings on computer viruses. SD-226

1:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of Veterans' Affairs. SD-138

2:00 p.m.
Energy and Natural Resources
 To hold hearings on S. 388, to provide for five-year, staggered terms for members of the Federal Energy Regulatory Commission, and S. 389, to establish the position of Assistant Secretary for Natural Gas. SD-366

APRIL 18

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
 To resume hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the Alcohol, Drug Abuse, and Mental Health Administration and the Health Resources and Services Administration. SD-116

Commerce, Science, and Transportation
Surface Transportation Subcommittee
 To hold hearings on motor carrier safety. SR-253

Judiciary
 To hold hearings on modification of the McCarran Ferguson Act. SD-226

10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Foreign Agricultural Service, Commodity Credit Corporation, General Sales Manager, and Soil Conservation Service. SD-138

Appropriations
VA, HUD, and Independent Agencies Subcommittee
 To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Veterans' Affairs. SD-192

Environment and Public Works
Environmental Protection Subcommittee
 To hold hearings on the health effects of air pollution. SH-216

Finance
 To hold hearings to review and evaluate certain child care proposals. SD-215

Foreign Relations
 To hold hearings on proposed legislation authorizing funds for fiscal year 1990 for foreign assistance programs and the Department of State. SD-419

2:00 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on the World Bank, International Development Association, International Finance Corporation, International Monetary Fund, and the Multilateral Investment Guaranty Agency.
SD-138

Foreign Relations
Terrorism, Narcotics and International Operations Subcommittee
To hold hearings on treaties relating to mutual legal assistance in criminal matters.
SD-419

APRIL 19

9:00 a.m.
Environment and Public Works
Environmental Protection Subcommittee
To hold hearings on the recent oil spill in Prince William Sound, and to review the adequacy of efforts to prevent air and water pollution at the Trans-Alaska Pipeline's Valdez terminal.
SH-216

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative recommendations of AMVETS, Vietnam Veterans of America, Veterans of World War I, and the Non-Commissioned Officers Association.
334 Cannon Building

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To continue hearings on motor carrier safety.
SR-253

10:00 a.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Office of Personnel Management.
SD-116

Finance
To continue hearings to review and evaluate certain child care proposals.
SD-215

Foreign Relations
To hold hearings on UNESCO.
SD-419

1:30 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for territorial and international affairs.
SD-192

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Subcommittee
To hold hearings on S. 83, to establish the amount of costs of the Department of Energy's uranium enrichment program that have not previously been recovered from enrichment customers in the charges of the Department of Energy to its customers.
SD-366

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 198, the Copyright Act to protect certain computer programs.
SD-226

APRIL 20

9:30 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1990 for the Department of Agriculture.
SD-124

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on global climate change and efforts to predict greenhouse warming.
SR-253

Rules and Administration
To resume hearings on S. 7, S. 56, S. 137, S. 242, S. 326, S. 330, S. 332, S. 359, and S. 597, bills to provide for spending limits and public financing for Federal elections.
SR-301

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Federal Emergency Management Agency.
SD-192

Finance
To resume oversight hearings on the implementation of the Omnibus Trade and Competitiveness Act of 1988.
SD-215

2:00 p.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Agriculture.
SD-124

Energy and Natural Resources
Energy Research and Development Subcommittee
To continue hearings on S. 83, to establish the amount of costs of the Department of Energy's uranium enrichment program that have not previously been recovered from enrichment customers in the charges of the Department of Energy to its customers.
SD-366

Finance
Medicare and Long-Term Care Subcommittee
To resume hearings on physician payment reforms under the Medicare Program.
SD-215

APRIL 21

10:00 a.m.
Finance
Social Security and Family Policy Subcommittee
To hold hearings on independent agency status for the Social Security Administration.
SD-215

MAY 1

9:30 a.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the National Institutes of Health.
SD-192

2:30 p.m.
Appropriations
Labor, Health and Human Services, Education Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Health and Human Services, focusing on the National Institutes of Health.
SD-192

MAY 2

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on global warming and Corporate Average Fuel Economy (CAFE) standards.
SR-253

Energy and Natural Resources
Energy Research and Development Subcommittee
To resume hearings on S. 83, to establish the amount of costs of the Department of Energy's uranium enrichment program that have not previously been recovered from enrichment customers in the charges of the Department of Energy to its customers.
SD-366

10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the National Aeronautics and Space Administration.
SD-138

Finance
To hold hearings on the European Community's (EC) program to complete its internal market by 1992.
SD-215

2:00 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on the Middle East, Pakistan, and Afghanistan.
SD-138

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for activities of the Secretary of the Interior and the Secretary of Energy.
S-128, Capitol

Energy and Natural Resources
Energy Regulation and Conservation Subcommittee
To hold hearings on S. 247, to increase the efficiency and effectiveness of State energy and conservation programs.
SD-366

MAY 3

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-192

10:00 a.m.

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1990 for the National Aeronautics and Space Administration.

SD-138

MAY 4

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-116

10:00 a.m.

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Federal Aviation Administration.

SD-138

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on Central America.

SD-138

MAY 5

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-192

MAY 8

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-192

MAY 9

10:00 a.m.

Finance
To hold hearings on the impact of Section 89 nondiscrimination rules applicable to employer-provided fringe benefits.

SD-215

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on international narcotics.

SD-192

MAY 10

10:00 a.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs.

SD-192

MAY 11

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-116

10:00 a.m.

Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for transportation trust funds.

SD-138

MAY 12

9:30 a.m.

Appropriations
Labor, Health and Human Services, Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for certain programs of the Departments of Labor, Health and Human Services, Education and Related Agencies.

SD-192

MAY 15

1:30 p.m.

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of Housing and Urban Development.

SD-138

MAY 16

10:00 a.m.

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Housing and Urban Development.

SD-138

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on the Office of the Inspector General, Office of Disaster Assistance, and American Schools and Hospitals Abroad.

SD-116

MAY 18

10:00 a.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on the Peace Corps, African Development Foundation, Inter-American Foundation, Overseas Private Investment Corporation, and Export-Import Bank.

S-126, Capitol

Appropriations

VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for the Department of Housing and Urban Development and certain independent agencies.

SD-116

MAY 19

10:00 a.m.

Appropriations
VA, HUD, and Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1990 for the Department of Housing and Urban Development and certain independent agencies.

SD-116

JUNE 1

1:30 p.m.

Governmental Affairs
To hold hearings on alcohol abuse prevention.

SD-342

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs, focusing on refugees and migration.

SD-138

JUNE 6

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs.

SD-138

JUNE 7

9:30 a.m.

Governmental Affairs
To resume hearings on alcohol abuse prevention.

SD-342

JUNE 13

2:00 p.m.

Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1990 for foreign assistance programs.

SD-138

CANCELLATIONS

APRIL 11

10:00 a.m.

Banking, Housing, and Urban Affairs
Business meeting, to markup S. 413, to reform, recapitalize, and consolidate

the Federal deposit insurance system, and to enhance the regulatory and enforcement powers of Federal financial institutions regulatory agencies.

SD-538

The industry rate is a suggested final price which includes expenses, overhead, litigation costs and profit. This means that for the first time in many years insurance companies will have to set their final rates on the basis of their own losses, rather than relying on what other companies are doing. In whole or in part, on a final rate set by an industrywide rating organization. While the industry will still receive historical loss information and trending data from the ISO, this step will hopefully help to increase competition for rates in all lines of insurance. The industry will have to make adjustments to its rates in order to remain competitive. The industry will have to make adjustments to its rates in order to remain competitive. The industry will have to make adjustments to its rates in order to remain competitive.

In the coming months, Congress should continue to monitor the effects of ISO decisions on individual insurance companies. State regulatory agencies and the consumer, in advance of considering any modification to the McCarran-Ferguson Act, should be aware of the effects of ISO decisions on individual insurance companies. I am concerned about legislation that would change the financial stability of the individual consumer and the entire economy. The industry step I have talked about by the ISO is a positive one and Congress should continue to maintain its vigorous oversight over this issue as the ISO decision is implemented.

HOME REGULATIONS ARE HARMING HOME CARE

MR. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

MR. BALLENGER. Mr. Speaker, as a county commissioner, I worked with the Catonsville County Health Department to initiate our community's home care program. Since that time, I have followed the development of the service with considerable interest.

Home health care is the most affordable, practical alternative to nursing home care that not only gives patients and their families greater control over their lives but it also helps to strengthen the family's sense of personal responsibility for their loved ones. It is a service that I support and should be available for everyone.

Home health care depends now mainly on the generosity of Federal regula-

APRIL 13

9:30 a.m.

Governmental Affairs
To hold hearings on S. 253, establishing a coordinated National Nutrition Monitoring and Related Research Program.

SD-342

Mr. GARCIA has been invited to participate in the hearing on S. 253, establishing a coordinated National Nutrition Monitoring and Related Research Program. Mr. GARCIA has been invited to participate in the hearing on S. 253, establishing a coordinated National Nutrition Monitoring and Related Research Program. Mr. GARCIA has been invited to participate in the hearing on S. 253, establishing a coordinated National Nutrition Monitoring and Related Research Program.

INTRODUCTION OF COAST GUARD LICENSE VERIFICATION ACT

MR. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

MR. CONTE. Mr. Speaker, last June about this Captain Hawwood was allowed to drive the Coast Guard license verification act. At the very same time, he was forbidden to drive his car down the road. New York State had suspended his driver's license three times for driving under the influence. But the Coast Guard didn't know that.

I am introducing a bill to help the Coast Guard determine whether they may make arrests and revoke licenses on commercial vessels that have a history of driving under the influence. My bill, the Coast Guard License Verification Act, will authorize the Coast Guard to access the National Driver Register, and run a simple check of the driving records of those officers whenever they apply for or renew their Coast Guard licenses.

The Coast Guard currently has no easy way to check an applicant's history. That fact has had no D.U.I. My bill makes verification simple and does not rely solely on the word of the applicant. The concept is borrowed from the House's 1986 legislation, "Truth in Drinking," which was passed to prevent another Valdes.

INSURANCE INDUSTRY DECISION A POSITIVE ONE

MR. GILKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

MR. GILKMAN. Mr. Speaker, last week the insurance industry announced an important decision. The

APRIL 19

9:30 a.m.

Governmental Affairs
To hold hearings on trade and technology issues.

SD-342

Mr. GARCIA has been invited to participate in the hearing on trade and technology issues. Mr. GARCIA has been invited to participate in the hearing on trade and technology issues. Mr. GARCIA has been invited to participate in the hearing on trade and technology issues.

THE JOURNAL

THE SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Journal to stand as approved.

PLEDGE OF ALLEGIANCE

THE SPEAKER. Will the gentleman from Texas (Mr. Smith) kindly lead us in the Pledge of Allegiance to the flag.

MR. SMITH of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IN COMMENDATION OF M. SGT. JO GARCIA

MR. ENGLISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

MR. ENGLISH. Mr. Speaker, I rise today to pay tribute to a special man, a man whose selflessness and patriotism are what is best about the American spirit.

The man I speak of is Air Force Master Sergeant (MSG) Garcia, a resident of East, OK, and today a proud member of the President's 1989 Volunteer Honor Award. Earlier today, Sergeant Garcia and 17 other dedicated men were personally presented with the Volunteer Award by President Bush at the White House ceremony.

The SERGEANT was a volunteer in the 1980s. He was chosen for the honor on the basis of his outstanding service in the National Guard, his dedication to his community, and his commitment to his family.